

		I dont know what to tell you as far as how to break the need you had a miscarriage other than waiting a few days. Not responding if he writes you and then saying there is something you need to tell him about. Then break the news Or something like you started spotting and went to the doctor they said to monitor it then a few days later say you had a miscarriage	LIES
Yelany De Varona	2/5/2020 15:11		
Yelany De Varona	2/5/2020 15:12		LIES
Yelany De Varona	2/5/2020 15:59	Ive never in my life been pregnant	LIES
		If he up and leaves im fucked with bills for these things that are too much for me to cover	Money
Yelany De Varona	2/5/2020 16:11	He pays everything but its all under my name	Money
		I mean I make a good living for myself but I need to get stuff that we have paid off before	Money
Yelany De Varona	2/5/2020 16:14		
Yelany De Varona	2/5/2020 16:17	Wait he said his dad was dead?	DAD
Yelany De Varona	2/5/2020 16:17	Thats fucked up	DAD
Yelany De Varona	2/5/2020 16:18	so his hire ups think his dads dead like dieter and stuff	DAD
Ronda McNae	2/5/2020 16:18	I know wills team knows that	DAD
Yelany De Varona	2/6/2020 15:10	Im just kind of having a breakdown	YELANY
		Im waiting till my bills are paid but I literally cant with how much he discards ppl	Money
Yelany De Varona	2/6/2020 15:10	He doesn't want to be used but he uses everyone emotionally	Behavior
Yelany De Varona	2/6/2020 15:27	I think if you say something now he might have a nervous breakdown	Behavior
		Nov 14 I had a breakdown ... literally would have been ok if someone hit me with their car and killed me	Miami
Ronda McNae	2/6/2020 15:33		
Ronda McNae	2/6/2020 15:33	I had sommmme DARKKK thoughts	Miami
		I think its more disappointment in myself for being so nice and accepting of him or like trying to think I could help him be better.	Money
Yelany De Varona	2/6/2020 15:52		
Yelany De Varona	2/7/2020 13:44	Yes he does keep me around with financial ties	Money
		He Mentioned it also on our call yesterday and said that it's not easy for him because everything is tied to you because he has no credit here which is why he can't live without you right now	YELANY
Ronda McNae	2/7/2020 13:45		
		That's why I'm thinking as soon as he gets money in that account that we have joint im changing my CC number and paying my card off then pocketing whatever I can	Money
Yelany De Varona	2/7/2020 13:45		
Yelany De Varona	2/7/2020 16:11	100% he knew how to play you	Miami
Yelany De Varona	2/7/2020 16:11	Second, totally understand falling I love with the idea and life	Miami
		I feel in love with how he would desire me and speak to me when we first started. The life he promised etc. I do like hanging out with him but his core self and character do not align with my beliefs and I just can't be with someone who lies and cheats. I'm too honest and positive. He breaks me down	Behavior
Yelany De Varona	2/7/2020 16:12		
		Anytime I've had like break downs or spoken about my childhood and always feeling unwanted by my father etc he is a different person	Behavior
Yelany De Varona	2/7/2020 16:24		
Yelany De Varona	2/8/2020 16:01	Im sorry you fell into his traps and falling for the fairytale he paints	behavior
		Yeah my stepfather was fing weird! I wish I picked up on fitz red flags sooner-	
Ronda McNae	2/9/2020 7:39	there were definitely similarities	Miami
Yelany De Varona	2/9/2020 8:18	Bc he's a super paranoid person	Behavior
		Im sure he freaked out about you wanting to get coffee bc he didn't want you to like me, trust me and then end up telling me you two slept together	Behavior
Yelany De Varona	2/9/2020 8:34		

Yelany De Varona	2/9/2020 8:34	But he likes to be in control of everything so you don't figure out his lies	Behavior
Yelany De Varona	2/9/2020 8:40	Loves the attention of ppl being like "poor mike"	Behavior
Yelany De Varona	2/9/2020 12:18	He has an everything in excess obsession	Behavior
Yelany De Varona	2/9/2020 13:53	He just sat with me to say he wants to buy a plot of land for us to build a house and buy an apartment till it's built we would live in another apartment	Money
Yelany De Varona	2/9/2020 13:53	Im just thinking yes, do all this and when the house is built I keep the apartment you stay at the house hahaha	Money

I took time to write you because I tried to write something many times and couldn't find the words. So I hid and didn't say anything. I know that is the worst thing to do but truth me told in all vulnerability. I'm terrible with words and I'm terrible with being vulnerable. I'm sorry for any pain I've caused you at all, I didn't intentionally pursue anything. It almost just happened and I feel like I lost control. No excuses at all. I was in the wrong and I take full responsibility for that. But I don't think any words that I can write can relieve any of the pain. I would love to support you both in any way I can to help do something to relieve the pain for you both. I'm trying to learn about myself from this situation, but again: truth be told. I feel empty and sorrowful and I'm hiding my hurt from the world and people who care for me and putting on a brave face.

Yes I ask my self every day how I deal with the scenario now. I can't comfort Ronda or be close to her because I promised you I wouldn't. I can't open up to you because I don't know how to do it. When I saw you I broke down in pieces and had to walk away.

I stopped what was happening because I loved you both as some of the people that had given me an opportunity to be mySelf more than anyone had before. And yes I lost my responsibility to you, but as soon as I spoke to you.. and I knew that you knew. I had no way of overcoming it in my mind. So did I want to stop talking to Ronda and make her feel terrible? No! I wanted to comfort you both but I don't know how to do that.

Many patterns in my life have followed similar things to this. I can make a real mess for myself, so I usually stay so distant and don't get involved with people. The only time I get things right is through my work.. and that's what I always default to.

I will talk to Ronda openly and apologize, If you have the patience and heart I would also like to do that to you and offer any support I can to help you both from the outside. It was hard to know how to spk to Ronda openly without feeling like I was still betraying you..

I don't expect anything from you, ever. I said I would stay out of your way and I am trying. I don't want to fill either of you with anymore pain and sorrow.

I will support my responsibilities. I've been very open and vulnerable with Ronda and I will continue to be. I will re iterate that I want you, Ronda and your family to be the happiest that you can be. That will never include me.. I will not interfere or both you both.

Ronda McNae	2/10/2020 16:14	If you want to sit with me so I can apologize I will do that. But pls forgive my state while I do it because it's not easy for me to be vulnerable. I will leave that decision to you.	Miami
Yelany De Varona	2/10/2020 16:30	Im reading his message to christian and diana aloud and we are like omg this guy is fucked up. I'm like if I'm murdered you know who it is	Behavior
Yelany De Varona	2/10/2020 16:30	They laughed and diana is like share your location with me	Behavior

they, include a lot, (seem as though you can't let it go, even in the most inappropriate situations).A

Thank you for writing to me.Â

My last 24 hours has been absolutely crazy; I've been preparing for our yearly board meeting and budget week. Now we are a public company there is a huge pressure on me as a leader and shareholder to deliver. I came to Cali this weekend and lost my whole Monday traveling so I really needed to catchup. My year is not always this busy, it eases off towards the end of November and gives me a break for a month or so.Â

I read through your email a couple of times; I think so much of you. It's crazy to know that we are this close.. and I feel like we will be for a very long time. Thank you for always being there for me as a friend; regardless of this last few weeks, you've bn there for me since the very first day I met you. The day Will introduced us; you hit me like a tidal wave ðŸ™€ if I'm honest.. something told me that we would be close and yes there was an attraction but I never thought it would ever come to anything.

This weekend in San Francisco was great; our chemistry blows my mind sometimes. We were so close all weekend and it was great to just get some time and hang out without any eyes judging us.

You talk about your faith a lot and I love that you share. I think it's only fair that I explain how I am with my faith. My family was always very religious; and although I always believe there is some type of higher power or God.. I prefer to believe it's my path and I make it what I can. Everyone will have good and bad thrown at them, but you have to balance it out and be the best you.Â

I read your email and thought maybe you are backing off a little bit from all of this. Which I also would totally understand; there is so many parts of this that need to settle and we both probably need to walk into it rather than run!

The counseling is a great idea.. it's my go to in many situations and I have a monthly session without fail. I'm actually going â€œon Friday this weekâ€œ. My counselor is one of my best friends because he has helped me through so many things in my life.Â

I think the right thing to do for you is to take your time at home, do the counseling and talk with Will as you find the right path to take. I'm not going anywhere and I'm here every day to talk to you.Â

If I can help at all with anything you just have to ask.. I want to support when I can.

Ultimately I have so much love for you, and I just want you to be happy. If that's with me or with anyone else.. I hope we are close forever.Â

Ronda McNae	2/10/2020 17:38	anyone else.. I hope we are close forever.Â	Miami
Yelany De Varona	2/10/2020 17:45	What a fucking psychopath!	Behavior
Yelany De Varona	2/10/2020 17:47	Hes fucking crazy ronda!	Behavior
Yelany De Varona	2/11/2020 7:38	He just does what he wants and doesn't want to own up to the consequences of his actions	Behavior
Yelany De Varona	2/11/2020 7:56	Cover costs for my therapy to process the emotional trama of having this abortion	LIES
Yelany De Varona	2/11/2020 7:57	I know neither am I and I want to be such a greedy bitch towards him bc of all the fucked up shit he does	Money
Yelany De Varona	2/11/2020 7:59	I separate how he treats me with it actually having to do with me. It's all about his messed up mind	Behavior
Yelany De Varona	2/11/2020 10:50	I would say emotional distress would be doubling your total therapy amount bc you will need to discuss this with your therapist as well.	Money
Yelany De Varona	2/11/2020 10:51	So an additional 8k	Money
Yelany De Varona	2/11/2020 10:51	I mean how will this affect you? Knowing that he's done all of this to you	miami
Yelany De Varona	2/11/2020 10:53	Charge him the full amount	Money
Yelany De Varona	2/11/2020 11:58	Nope he's never given me a lump some	Money
Yelany De Varona	2/11/2020 11:58	He was suppose to then we got together and nothing	Money

Yelany De Varona	2/11/2020 12:34	He's stingy as fuck hence I've never received a lump sum	Money
Yelany De Varona	2/11/2020 12:47	Im deleting our convos. I feel like he might be getting suspicious.	Behavior
Yelany De Varona	2/11/2020 12:47	Keep everything! I'm counting on you to have all the convos lol	LIES
		About to board the plan to Columbia if you don't hear from me you know who	
Yelany De Varona	2/11/2020 14:12	did it	Behavior
Yelany De Varona	2/12/2020 11:59	Hey, do you know a private investigator in miami?	Behavior
Yelany De Varona	2/12/2020 12:15	hes like such a weird person to try and figure out	Behavior
		Hes just all the phycological things that can be wrong summed up into one	
Yelany De Varona	2/12/2020 12:16	person	Behavior
Yelany De Varona	2/12/2020 12:22	The fear of getting caught	Behavior
Yelany De Varona	2/12/2020 12:22	Thats the main problem he loves the drama stress	Behavior
Yelany De Varona	2/13/2020 11:53	Im so sorry will! That this man did this to your family	Behavior
Yelany De Varona	2/13/2020 11:53	I wish I could of warned you guys	Behavior
Yelany De Varona	2/13/2020 11:54	I would never have thought he would go after someones wife	Behavior
Yelany De Varona	2/13/2020 11:54	He literally has zero respect	Behavior
		Maybe when he comes to town I tell him I lied to him to give him a taste of his	
Ronda McNae	2/13/2020 12:11	own medicine	Pregnancy
Yelany De Varona	2/13/2020 12:28	Because he will spin it	Behavior
Ronda McNae	2/13/2020 12:31	I like how he said he's not hiding anything but he obviously has been	Behavior
Yelany De Varona	2/13/2020 12:32	He always blames everyone else	Behavior
Yelany De Varona	2/13/2020 12:32	It's never his fault	Behavior
Ronda McNae	2/13/2020 12:32	I can't believe he said I came on to him	Miami
Yelany De Varona	2/13/2020 12:32	He's a victim	Behavior
Yelany De Varona	2/13/2020 12:32	That's him	Behavior
Yelany De Varona	2/13/2020 12:49	Hes easy manipulator	Behavior
Ronda McNae	2/18/2020 17:59	But fitz is still a fucker for saying this was my second time like I begged for it	Miami
		I feel like mike says anything to make the other person he is talking to side with	
Yelany De Varona	2/18/2020 18:01	him	Behavior

Dear will. I haven't reached out to you or messaged you, because I'm not very good with words or being open and vulnerable. In cases where I need to be, I often hide away from the issue and can be a bit of a coward truth be told. I know that hiding doesn't help. I tried to write to you a few times and couldn't find the right words.. when I've written to you before now, I seemed to upset you more and I didn't want to do that again. You know Ronda a lot better than me of course; I didn't want her to hurt or you to hurt. I was wrong to not just come to you and be open and apologize for everything.. I struggled to deal with it and put the weight on Ronda and that isn't fair. I also didn't realize I was doing that at the time because I was so overwhelmed by the situation. I'm still overwhelmed and as I've talked to Ronda recently, all I want to do is stop causing any pain. I'm truly sorry for pursuing Ronda, I'm truly sorry that you invited me into your family and I broke that trust. I'm truly sorry for any pain I have caused. I want to be a good person; I have caused much pain to myself in my life and I cannot cause any more to myself or anyone else. So I'm concentrating on trying to make positive life decisions for myself and others. However I do not forget my responsibilities; and I would like to sit and apologize to you face to face and offer to support if I can to ease some of the pain I caused. I mean it when I say I genuinely never want to hurt someone at all, especially someone who was good to me. You will not hear me say a bad word about you and Ronda to anyone. Or spk of any of this situation unless you wanted to discuss it.. and I will be open in the with you if you sit face to face with me. Of course I understand if you don't want to do that. I want you to be able to move forward with love and positivity in your life and I want to be able to do the same. I'm extending my most vulnerable self to ask for you to allow me

Ronda McNae	2/18/2020 19:12	to apologize and offer support. Thankyou for reading my message. Mike â€¦, Super non accusatory but just I'm pissed at hell with the lies he said about me	Miami
Ronda McNae	2/18/2020 19:20	already... there's no telling what he could be saying to others	Miami
Yelany De Varona	2/18/2020 19:21	I doubt he will be truthful	Behavior
Yelany De Varona	2/18/2020 19:21	I get being upset and wanting to defend yourself and the truth. He said a lot of the things he told me face to face when I confronted him about	Behavior
Yelany De Varona	2/18/2020 19:26	what he did	Behavior
Ronda McNae	2/18/2020 19:26	So I feel like it's more apologetic bc he got caught It's hard to take anything he says honestly and think it's genuine when he lies	Behavior
Yelany De Varona	2/18/2020 19:29	and does things to make himself look good	Behavior
Yelany De Varona	2/18/2020 19:29	Like is he really trying to be good or is it another con? He swears things are different this time but he still lies soooo it's not that	Behavior
Yelany De Varona	2/18/2020 19:30	different	Behavior
Ronda McNae	2/18/2020 19:31	Yes... she said by time she got there I was already almost done	Miami
Yelany De Varona	2/18/2020 19:32	Yeah I bet you were really drunk then	Miami
Ronda McNae	2/18/2020 19:32	I honestly never drink she's never seen me have more than 2 drinks	Miami
Ronda McNae	2/18/2020 19:33	But he was smart enough to wait for everyone to leave	Miami
Ronda McNae	2/18/2020 19:33	Well the younger sis was like I swear he drugged you	Miami
Ronda McNae	2/18/2020 19:34	But I remember parts I know mike does a lot of lying and cheating but drugging.. I mean I've never	Miami
Yelany De Varona	2/18/2020 19:43	seen him around drugs or talking about drugs.	Behavior
Yelany De Varona	2/19/2020 7:04	Honestly he changes his mind like he changes underwear	Behavior

		Eeek.... Yelany my counselor read all 10 pages she said without a doubt it's	
Ronda McNae	2/20/2020 14:02	assault	Miami
Ronda McNae	2/20/2020 14:06	So I've been sick to my stomach wills suggesting further action.	Miami
Ronda McNae	2/20/2020 14:07	Like I could throw up	Miami
Ronda McNae	2/20/2020 14:07	I can send you what I wrote ... no joke I feel like I'm crazy	Miami
Yelany De Varona	2/20/2020 14:09	I want to read it	miami
Yelany De Varona	2/20/2020 14:09	I want to know everything so I know what steps to take	Miami
		Yeah if you are ok with it I would love to read what you wrote. Even the timeline you created. It's so interesting when I read things between him and other	
Yelany De Varona	2/20/2020 14:34	women. How he has a pattern. He's definitely mentally ill	Behavior
Yelany De Varona	2/20/2020 14:34	He has heavy issues	Behavior
Yelany De Varona	2/21/2020 5:22	Is writing all this and talking about it making you kind of relive it all?	Miami
Yelany De Varona	2/21/2020 5:31	I wish someone else was there with you or that will had been there.	Miami
Yelany De Varona	2/21/2020 5:32	Like who just lets someone they know drunk just head back alone?	Miami
		But there was a point where I hid from him - I wasn't scared but just struggling	
Ronda McNae	2/21/2020 5:32	make sense while being drunk	Miami
Yelany De Varona	2/21/2020 5:32	Laying on the sidewalk is big, that means you are wayyyyyy fucked up	Miami
Yelany De Varona	2/21/2020 5:33	Yeah I mean thats weird but also you are drunk	Miami
Ronda McNae	2/21/2020 5:33	Well he called my sis asking where I was	Miami
Ronda McNae	2/21/2020 5:33	Then demanded I share my location	Miami
Yelany De Varona	2/21/2020 5:33	Shit doesn't make sense when you are at that stage of drunkenness	miami
		I mean that sounds more like his actions but still the kissing and touching. Way	
Yelany De Varona	2/21/2020 5:34	out of line	Miami
Ronda McNae	2/21/2020 5:34	But said he needed to get me back safe	Miami
Ronda McNae	2/21/2020 5:35	I struggle putting that on him... even tho he still lies out of his ass	Miami
		I was up all night reading about cases... and how the behavior of someone who	
Ronda McNae	2/21/2020 5:37	goes through that responds days, weeks, months after	Miami
Yelany De Varona	2/21/2020 5:38	I did wake up feeling sick and from a nightmare	Miami
Yelany De Varona	2/21/2020 5:38	Cant remember it but I know it was intense because I woke up stressed	Miami
		Its so crazy. Im finally feeling like a weight being lifted. The stupid Porsche's lease is finally up beginning of April and im not getting another car. I told him I	
Yelany De Varona	2/21/2020 5:45	want to wait	Money
Yelany De Varona	2/21/2020 5:45	Because I dont want to get into another super high end lease I cant afford	Money
		I just hope I'm not the one heavily persuading you to believe he's awful ... I	
Ronda McNae	2/21/2020 5:56	mean I wanted to provide substance and facts...	Behavior
Ronda McNae	2/21/2020 5:57	But I don't want you to only believe he's awful because I think he is	Behavior
		You're not I know deep down he's fucked up and as much as he wants or claims to be better... it's not my responsibility to take care of him or deal with his issues. I know that sounds harsh but I need to put myself first. We have zero kids or lifetime commitments to each other that crutches me in the way that I need to make this work. So I should be thinking of how he betters my life and in	
Yelany De Varona	2/21/2020 6:05	a short answer he doesn't	Behavior
		It's ok. I think I'm just going to wait for May 1st see what happens with	
Yelany De Varona	2/21/2020 6:56	financials and then just pick up and move.	Money

		He is suppose to get money transferred over to the bank the last week in April. I just want my credit cards cleared down and everything left to zero. Once that's done, I will tell him I know all these lies he's told and I can't continue to do this	
Yelany De Varona	2/21/2020 6:57	with him.	Money
		I'll make our last therapy session for the couples counseling and then part	
Yelany De Varona	2/21/2020 6:58	ways then	Money
		I definitely want to wait to see if he pays off all the debt in one lump sum versus	
Yelany De Varona	2/21/2020 7:05	leaving now and risking having to eat up his debt.	Money
		Hey- sorry for the group text but it's just easier right now..	
		Over the past few sessions of counseling this week, my brain has been flooded with clinical perspective of this situation. With a huge focus on the night in Miami plus everything thereafter.	
		Although you say you would cover cost of counseling both my counselor and I question the legitimacy. And truth be told, what I'm working through has been causing tremendous stress.	
		She has a professional opinion on what I should do which was similar to Will's opinion...but I struggle with the added stress of it all. I'm now having to see her 2-3 times a week just to work through what has happened the past 4 months.	
		Feeling deeply frustrated that I have to continue to pay for this emotionally and clean up after everything. Letting you know where I'm at currently since her	
Ronda McNae	2/21/2020 9:18	professional opinion has consumed me deeply.	Ronda
Ronda McNae	2/21/2020 9:29	Will called me and said I can tell you're on the verge of going crazy right now	Ronda
		Ronda that's not good. I'm worried and having breakdowns with the kids â~1i, .	
Yelany De Varona	2/21/2020 9:38	Are you going to share about taking legal action? Or wait for lawyer advice	Money
Yelany De Varona	2/22/2020 9:15	So question if we slept together at all that weekend you know?	LIES
		I would just change up question one: Did you and mike sleep together when he	
Yelany De Varona	2/22/2020 9:15	came into miami with all of us? Did he ever stay with you during that time?	LIES
Yelany De Varona	2/23/2020 7:30	ðŸ~œhere he goes trying to figure out how to spin it	Behavior
Yelany De Varona	2/23/2020 7:51	Omg the argument right now	Behavior
Yelany De Varona	2/23/2020 7:51	I wish you could read it all	Behavior
Yelany De Varona	2/23/2020 7:55	Seeing that he's lying	Behavior
		He said his mom was sick in the UK lie! She's on a fucking boat on my insta. He	
Yelany De Varona	2/23/2020 7:55	said his dad was dead lie! His dad is sun bathing on a boat	Mom
		And having him on my story driving the boat just sums up that he is there and	
Yelany De Varona	2/23/2020 7:57	you know	Mom
Yelany De Varona	2/23/2020 8:23	I mean his mom is suppose to be super ill and in the UK	Mom
Yelany De Varona	2/23/2020 8:41	But before that he told you she was in the UK practically dying	mom
Yelany De Varona	2/23/2020 8:41	Sooo that doesn't add up	mom
Yelany De Varona	2/23/2020 10:17	I mean you saw his dad they are literally identical	DAD
		He's so paranoid but it's probably bc he has so many lies going and secrets he	
Yelany De Varona	2/23/2020 17:59	can't keep them straight	Behavior
Yelany De Varona	2/24/2020 6:33	That's the part of mike trying to be the victim.	Behavior

No one gives a flying fuck how you feel! You fucked my wife!!! That's my inner

Yelany De Varona 2/24/2020 6:34 Will that's vulgar and really mad Miami

Ronda McNae 2/24/2020 6:35 For the record I soberly chose the first affair - just to be clear Miami

with a letter about a month ago. He told me something went on with you both and I confronted mike about it. Mike confirmed you slept together during the summer when you all were here visiting that weekend. I know Mike and I weren't together but I still think it's wrong considering Will was his closest friend and your marriage.

Since you reached out and asked me questions do you mind answering a few of mine....

Mike did mention you came on to him that weekend in Miami. Is that true? What nights did you both sleep together? Sorry to be specific but I also slept with him during that time.

Did you have further relations with him after that weekend? He said you only slept together twice that weekend...

Are you and Will going to therapy? Mike mentioned you all asking him for money to cover it.

Mike said he is sitting down with you two this weekend to talk/apologize. Is there something I'm missing?

Thank you,

Yelany

Yelany De Varona 2/24/2020 12:25 LIES

Yelany De Varona 2/24/2020 13:45 Do you honestly feel he took advantage of you or was just drunk too YELANY

Ronda McNae 2/24/2020 13:46 And with having little memory... that freaks me out Miami

I don't know his limit.... I just know things went to a place I wouldn't have gone

Ronda McNae 2/24/2020 13:46 sober Miami

It's definitely not right to hook up with someone especially for the first time

Yelany De Varona 2/24/2020 13:47 wasted Miami

I don't want to steer you in any direction. I want you to make this choice on your

Yelany De Varona 2/24/2020 13:49 own. YELANY

I feel that way knowing what I know today and unfortunately I had to hear it

Ronda McNae 2/24/2020 13:49 from my counselor to believe it Miami

Ok, then do what you feel. If you really think he knew you were wasted and took

Yelany De Varona 2/24/2020 13:49 advantage then do what you think is best. YELANY

I think you all three should meet up and that's when you tell him how you feel

Yelany De Varona 2/24/2020 13:52 about the situation in Miami YELANY

Yelany De Varona 2/24/2020 13:55 Or ask the detective how to handle it YELANY

Yelany De Varona 2/24/2020 13:55 I want you to ask me about his son. Ask why we broke up... LIES

Yelany De Varona 2/24/2020 17:14 I don't want to see ppl hurt YELANY

I don't want to see you hurt and as much as he has sucked and been reckless he's been different. I can see where he is letting go of that awful person he was and trying to really be better. But he doesn't let anyone guide him

Yelany De Varona 2/24/2020 17:16 So he still doesn't do things the right way YELANY

Yelany De Varona 2/24/2020 17:16 I mean he sucks at apologizing and taking blame for his actions YELANY

Yelany De Varona 2/24/2020 19:39 It's a bit underwhelming and understand your struggle with how he's acting in all this YELANY

Yelany De Varona 2/24/2020 19:39 Fitz, you can't pick and choose when you decide to be upfront and honest to people especially if you're in a relationship with her. That's fucked up and you're only perpetuating everything.

You want to throw up? Imagine how I feel... I take you into our home into our family compromising Wills work life... and for what? You take advantage of the friendship? Push the envelope while I'm beyond drunk and incapable of making a decision either way and certainly wouldn't have made sober. I trust you to tell me the details and fill in the blank.. You knew damn well my recollection of the night was hardly there since I couldn't even remember when/where we kissed. Making me believe you wanted a life with me so it would take my focus off not remembering the night in Miami tell me you want to be with me blah blah but then sleep with Yelany the next night. Keep lying to me.... while lying to her. Oh and lying to Patrice. Did you honestly think I was that much of a fool?

I trusted you to be honest with with from day one... you have done NOTHING but lie. Fucking take ownership. Any truth that's come out of your mouth is bc I did my own investigating.

And yes, ðŸ™- you will cover ALL my counseling costs, pay me the remainder of self help camp = \$4,800 so I can go again on my own or pay back the few friends that pitched in so I could go INCLUDING JOSH CONDIE! And hell yes you will cover marriage counseling. That's without question.

My counselor is helping me come up with a treatment plan which includes marriage counseling.

I'm not available to sit down to speak with you until after Wednesday at 2pm. I will at that point have a treatment plan prepared reflecting cost etc. maybe hold off on buying yourself a new boat and your parents a new boat ? Some things are more of a priority.... like your â€œfriendsâ€ mental health and

Ronda McNae 2/24/2020 19:54 Oh also, we remembered fitz had some weird bruises on his arm the next day. Miami

Ronda McNae 2/25/2020 6:14 He told me I did it.... Miami

Yelany De Varona 2/25/2020 6:25 I didn't expect him to be honest really YELANY

Yelany De Varona 2/25/2020 6:26 No Im done with him just happy last night when I asked if he had anything else to tell me he said no that's everything YELANY

Yelany De Varona 2/25/2020 6:26 I was just wondering if you guys were going to speak to him first about everything Before you took it legal. YELANY

Yelany De Varona 2/25/2020 10:56 But if you know that's the route you want to take for sure then I respect it YELANY

Yelany De Varona 2/25/2020 16:27 They always say they don't know why he's like this MOM

Ronda McNae	2/25/2020 16:27	Dude ask about his childhood	MOM
Yelany De Varona	2/25/2020 16:27	Im eating dinner with his parents She's ready to hop on a plane with me to go file a police report I told her I'm not there yet but I am doing my research so that I understand how the process works	MOM
Ronda McNae	2/25/2020 16:31	Before I could even tell her my thoughts she quickly said he was trying to distract you by telling you he wanted to be with you so you wouldn't connect the dots about the night in Miami	Miami
Ronda McNae	2/25/2020 16:34	I was thinking about it all and I dont know if he plotted it. It's just not like him really. I'm sure he thought about it while you guys were out having fun at Baoli. But who knows. I just think he was just into Patrice so It seems odd he would plot this no?	Miami
Yelany De Varona	2/25/2020 16:37	Yes however you can't go from being in love with someone then the next day just doing that to your friend	YELANY
Ronda McNae	2/25/2020 16:38	Either way it just shows that he is not in his right mind because a normal person wouldn't do what he did and then continue to do what he does	Behavior
Ronda McNae	2/25/2020 16:39	He definitely has a shit load of things he needs to workout mentally.	Behavior
Yelany De Varona	2/25/2020 16:41	If money wasn't an issue for you ... would you leave today?	Behavior
Ronda McNae	2/26/2020 6:06	Hey, yes.	MONEY
Yelany De Varona	2/26/2020 6:08	My daughter told me last night that she feels like I've been away locked in a room for the last few months	MONEY
Ronda McNae	2/26/2020 12:57	I kind of had a breakdown before the airport. I dont know if I would just leave if money wasn't an issue. I know he's fucked up. But I feel like he's finally realized how fucked up he's been. I've been with him for 4 years and I think he's actually trying to do things to be better. I know he's lied and I'm not excusing him. But I think he's making strides to try. I understand you are hurt by everything that has happened and how he played with your emotions. I feel awful knowing the struggles this relationship with him has done to you. I want him to get better. I want him to go to an inpatient facility to work on himself. I dont know how much legal action will actually help him and if you are want to stop him from continuing to live this life of bad choices then he needs therapy. I know you have a lot on your plate and Im not trying to have this add to it. Anyway just wanted to let you know my thoughts. Hope you are feeling better.	Miami
Yelany De Varona	2/26/2020 19:28	Yes... so I also don't think he needs to be in jail or anything however the only way for him to goto any inpatient place is if it's court ordered.	YELANY
Ronda McNae	2/26/2020 19:32	And it's not just playing with my emotions... he legit fucked w my family and emotions	Miami
Ronda McNae	2/26/2020 19:33	Also... Yelany... don't fall into it thinking he will change	Miami
Ronda McNae	2/26/2020 19:34	And you're living with him so I know it's harder for you to see it from the outside I'm going to do what's right for my family and what I feel is reasonable justice	Miami
Ronda McNae	2/26/2020 19:35	but know I have people in my life holding me accountable to do what is right	Miami
Yelany De Varona	2/26/2020 19:36	Im not, I just don't want to see him go down hill.	YELANY
Yelany De Varona	2/26/2020 19:36	Im afraid he would actually kill himself if something major happened But honestly.... someone who's capable of lying as much as he does worries the heck out of me	YELANY
Ronda McNae	2/27/2020 4:29		Miami

I really want you to be sure. I know him pursuing you is totally wrong and he 100% should not have done that. Especially when you guys were drinking and were not thinking clearly. I think he needs to take 100% blame for leading you on and lying which is what I sense he is trying to do by paying for the counseling personal and marriage. But the whole entire situation can't be just on him. Responsibility needs to be taken on both. Again I understand you completely I just want you to look at everything and the way things played out. It's not like he isn't doing what he can to feel remorseful. Even though it is 100% unacceptable

Yelany De Varona 2/28/2020 3:42 for him to have pursued you in the first place. YELANY

I understand what you're saying while I don't fully agree. Although I haven't met you in person... I care about you. I knew at some point this entire situation would be hard for you to see from the outside looking in since we are both in the murkiness of it. I was able to pull all my past text messages dating back to October where I've clearly stated I don't have much recollection of the evening... and Fitz was filling in the details. I have a witness who saw us go back to the hotel together and said I was definitely drunk... as well as Tim but Fitz was fine. Will also said when he arrived I was crazy/drunk while Fitz seemed completely under control. While that evening was difficult for me to process.... I had Fitz telling me he wanted to be with me and honestly I feel like he wanted to take the focus off the night in Miami so I wouldn't question it and think it really was part my fault- but it wasn't. The conversations after only proves how twisted he is... especially telling me one thing while clearly trying to work on things with you. I have a lot of evidence to prove Miami and his mental illness that sadly was very calculated in the end to help put him in a better light. I just want him to get help. I don't want him in jail... but my God, he needs serious help. I want to respect and honor your current position... since you live with him and might actually believe he's learned his lesson or changed!? (Although it's not possible without serious counseling) I adore you and will keep the details of my counseling sessions and what we decide to move forward to do, to myself. Through our short friendship (you/me) I've happened to also piece together the reality of everything and that sucks. But I want to be understanding of your position. You are a catch... beautiful inside and out. You need to be with someone that never takes that for granted... not even just a

Ronda McNae 2/28/2020 8:25 little bit. You do deserve the world â€¦, Miami

This past week was a bit brutal emotionally..... hard on myself that I ignored the red flags. Spoke to a few people to help me navigate the situation.... had my counselor write out a treatment plan and said counseling for a year is silly- I

Ronda McNae 3/1/2020 1:11 need it for 3 years... last two years is maintenance once a week ðŸ™„ Miami

So I feel a sign of relief on being so open and I kind of want to be that was with mike too. Im scared of getting stuck with bills but I don't want to drag this out

Yelany De Varona 3/1/2020 1:34 with him really YELANY

Yelany De Varona 3/1/2020 1:34 Waiting for money is ridiculous and I kind of realized that. YELANY

Yelany De Varona 3/1/2020 6:01 That I know he's lied to me even now Behavior

Ronda McNae 3/1/2020 6:02 There's more lies? Behavior

Ronda McNae 3/1/2020 6:09 Hey, when you look on you phone bill... does his number pop up? Miami

Ronda McNae 3/1/2020 6:10 He's hid it from my phone bill since October. Sketchy as hell Miami

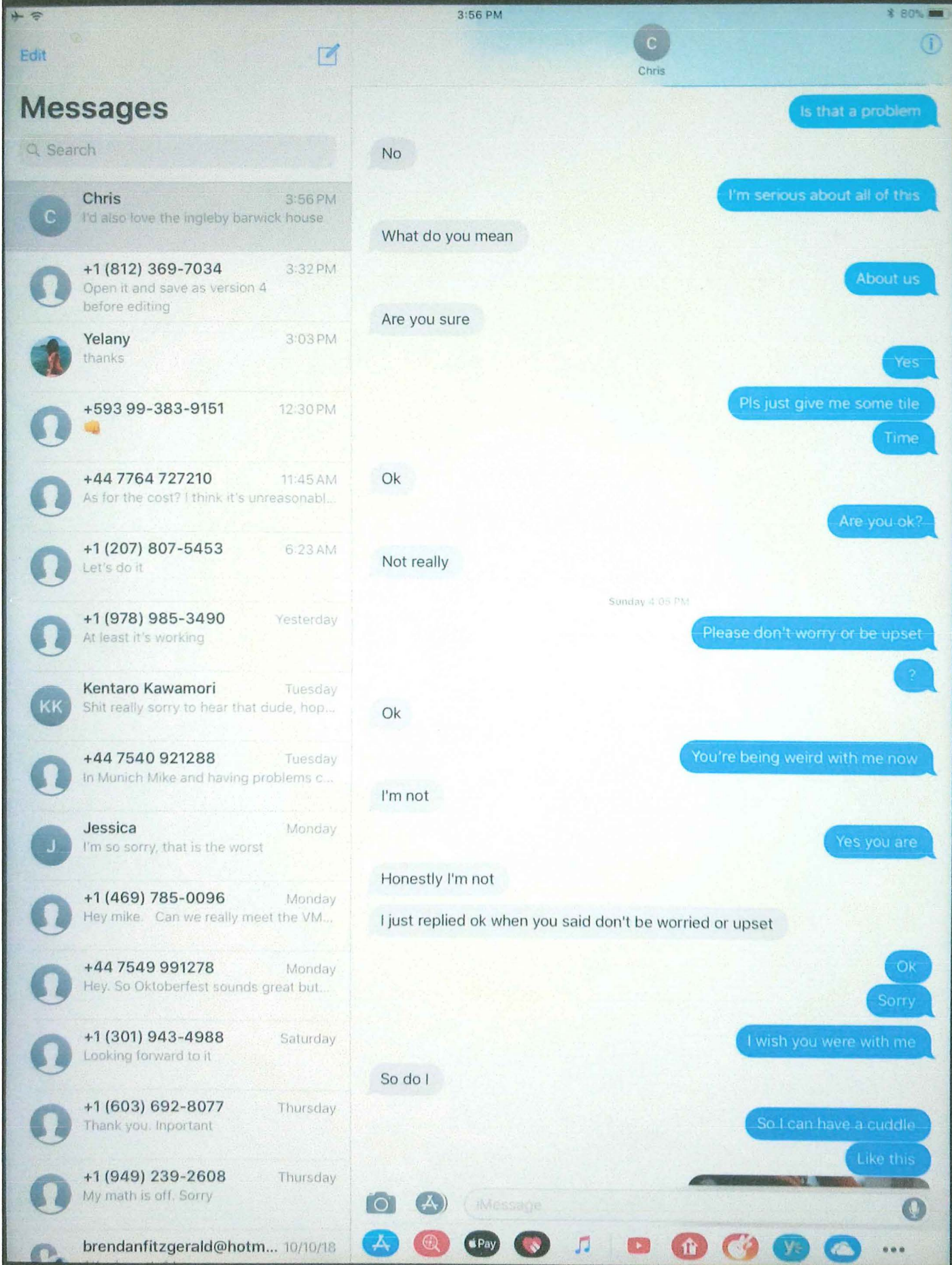
Yelany De Varona 3/1/2020 9:32 Yeah I don't know how he does that Miami

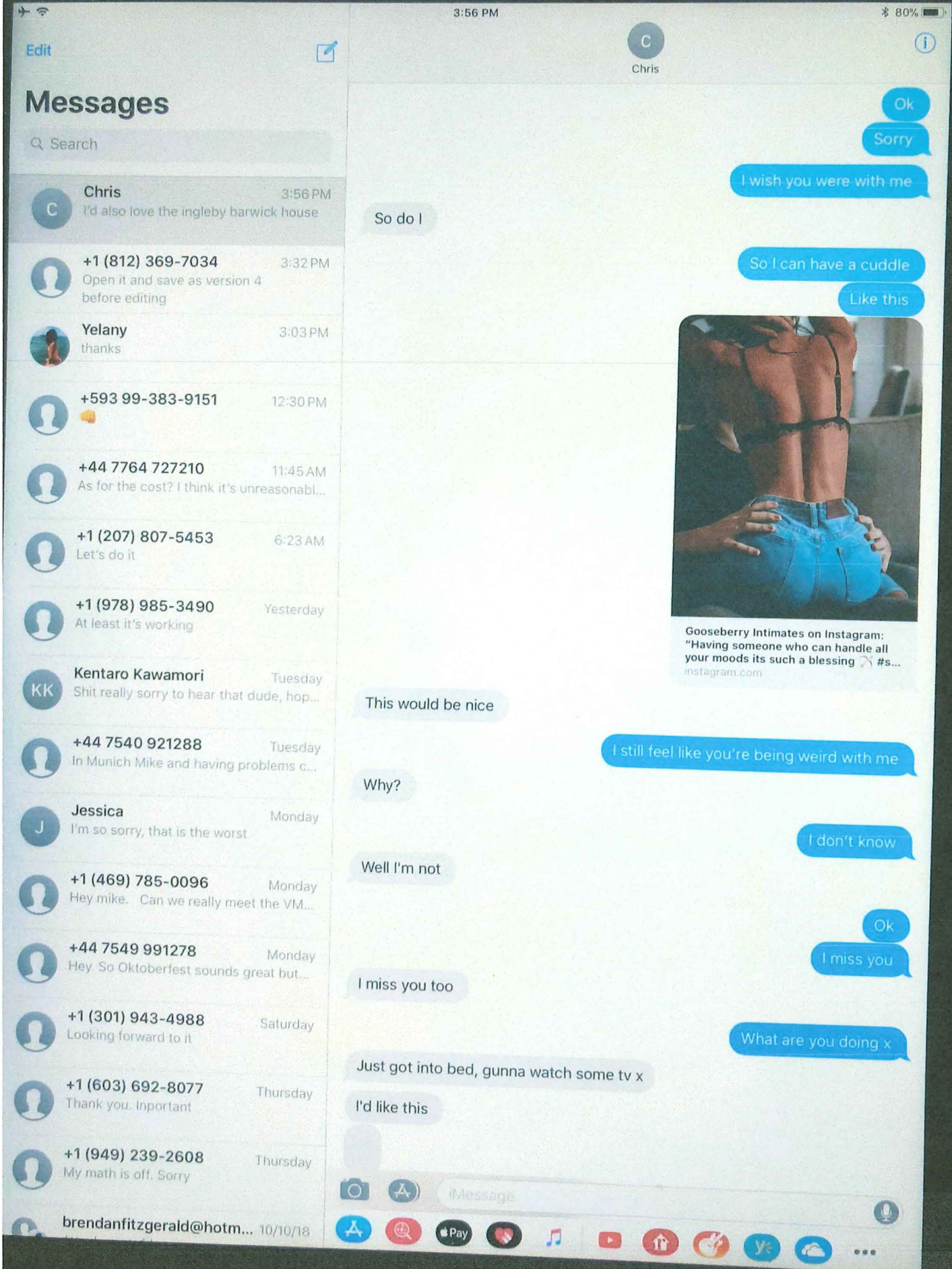
Ronda McNae 3/1/2020 9:41 Does it happen on your bill too? Miami

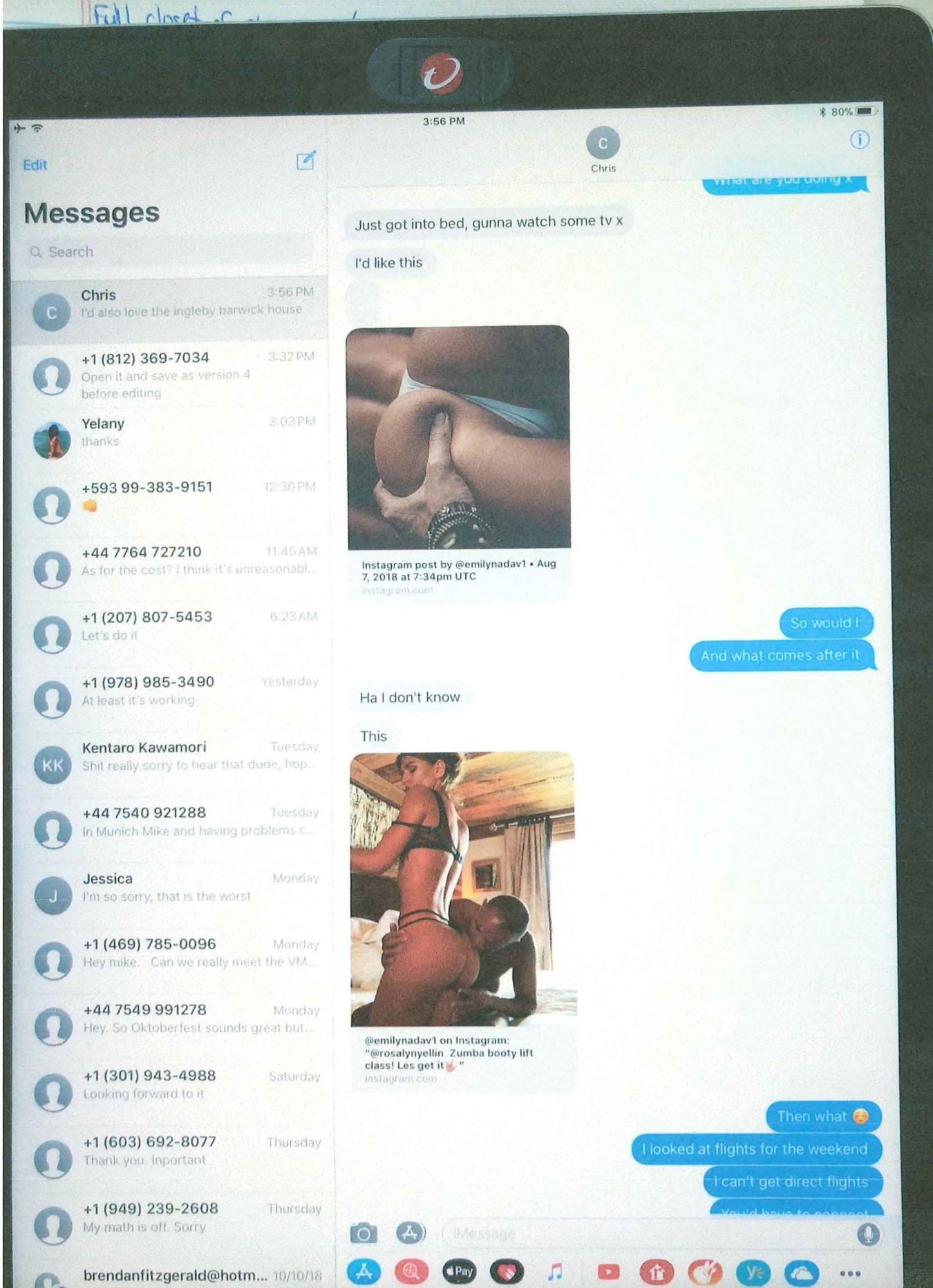
Yelany De Varona	3/1/2020 9:43	I don't see your number on his call log	Miami
Ronda McNae	3/1/2020 9:50	Oh yeah he somehow made it untraceable	Miami
Ronda McNae	3/1/2020 10:42	Is he here on a work visa or green card?	VISA
Yelany De Varona	3/1/2020 11:10	Work visa	VISA
		Does he get any bills that come to your address? Or is literally everything in	
Ronda McNae	3/1/2020 11:13	your name (credit cards/utilities etc)	MONEY
Yelany De Varona	3/1/2020 11:17	My name everything	MONEY
		I will help you figure out your rights but I need to know you do want out. My	
Ronda McNae	3/1/2020 11:19	situation is separate from yours but I will help look into things for u	YELANY
Ronda McNae	3/2/2020 12:16	My counselor said she can do Skype sessions w u	YELANY
		Ok... well I told her the update about you... and that you aren't sure you can	
		stay in this relationship. she said based on what I've shared... his	
		reaction/responses aren't predictable. Based on his ease with manipulation,	
Ronda McNae	3/2/2020 14:53	lies, mental abuse/control... you can't go in blindly	YELANY
Yelany De Varona	3/2/2020 14:54	Well then I'm just going to act like everything is fine for now then	YELANY
Ronda McNae	3/2/2020 14:54	You should... it's almost helping the ending be easier I think	YELANY
Ronda McNae	3/2/2020 14:54	As in.. no irrational/impulsive decisions...	YELANY
Yelany De Varona	3/2/2020 14:54	But he will try to make up on it	YELANY
Yelany De Varona	3/2/2020 14:54	Yeah 100%	YELANY
Yelany De Varona	3/2/2020 14:55	I don't want to linger with him	YELANY
Ronda McNae	3/2/2020 14:56	Yelany, might not be easy for you to see completely but he is very calculated	YELANY
Ronda McNae	3/2/2020 14:57	He's the kinda guy that would stalk you	YELANY
Ronda McNae	3/2/2020 14:57	You have to outsmart him. Understand his games and be two steps ahead	YELANY
Yelany De Varona	3/2/2020 14:57	Yeah I'm going to wait till I find a place. Get his debt covered. Turn in my car.	YELANY
Yelany De Varona	3/2/2020 14:57	I will block him and done	YELANY
		Make sure when you do break it off... let him know your whole family knows so	
Ronda McNae	3/2/2020 14:58	he doesn't think it's some secret	YELANY
Yelany De Varona	3/2/2020 14:58	I will deport him	YELANY
Yelany De Varona	3/2/2020 14:58	If he tries to stock me	YELANY
		Im just going to cut him completely out of my life when everything aligns with	
Yelany De Varona	3/2/2020 14:59	what I need	YELANY
Yelany De Varona	3/2/2020 15:01	Im going to tell him i can't deal with all his lying	YELANY
Yelany De Varona	3/2/2020 15:01	I found out he still hasn't changed	Behavior
		Like when you broke up why would you make mike choose between you and his	
Yelany De Varona	3/2/2020 15:03	son.	LIES
		Yes he will when it's something that significant he will be like trying to lie his	
Yelany De Varona	3/2/2020 15:08	way out	LIES
Yelany De Varona	3/2/2020 15:11	Did you tell your attorney he has zero status in this country	VISA
Yelany De Varona	3/2/2020 15:12	He comes in as a regular visitor	VISA
Yelany De Varona	3/5/2020 15:08	All sisters	LIES
Ronda McNae	3/5/2020 15:08	Does fitz have older brothers?	LIES

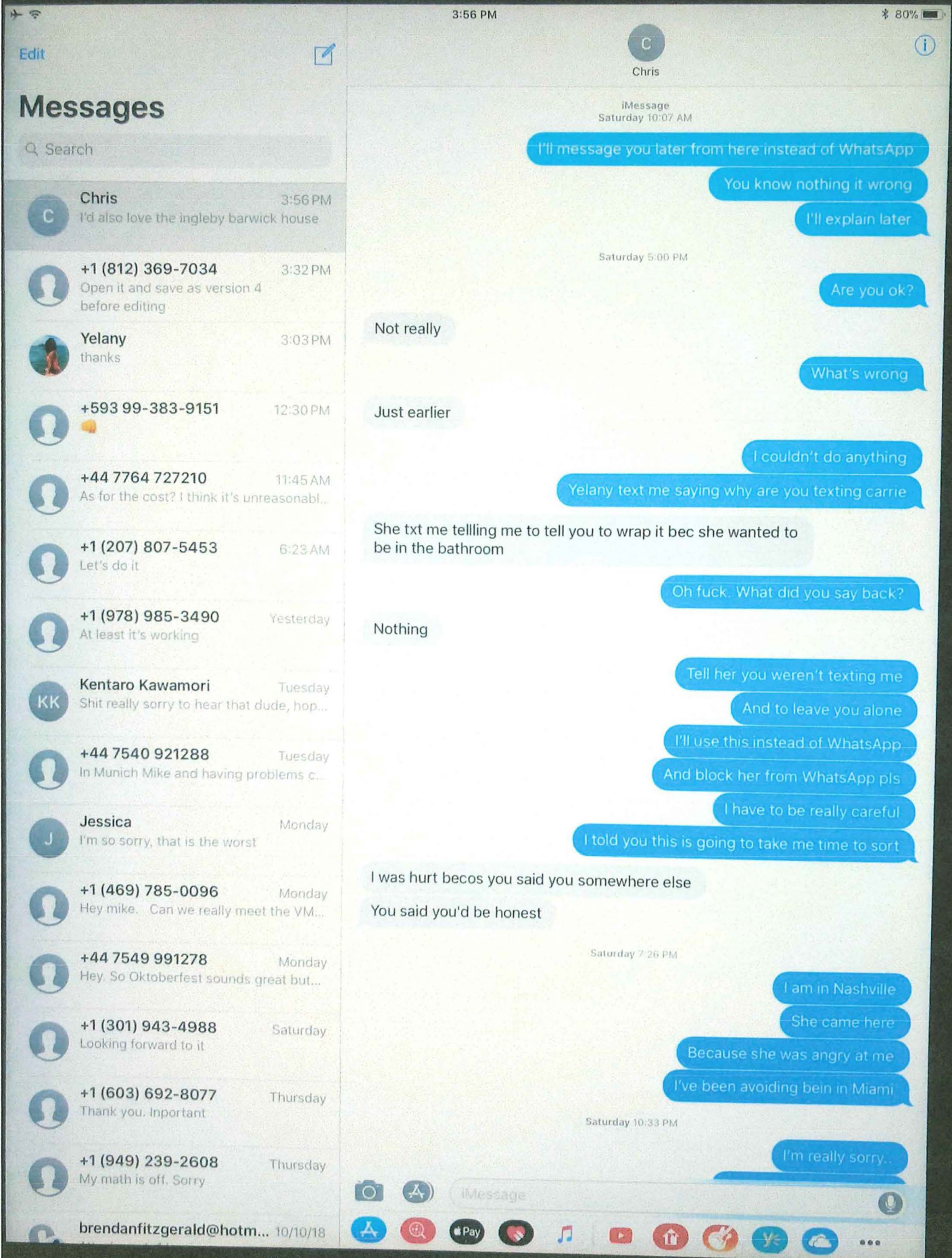
Declaration

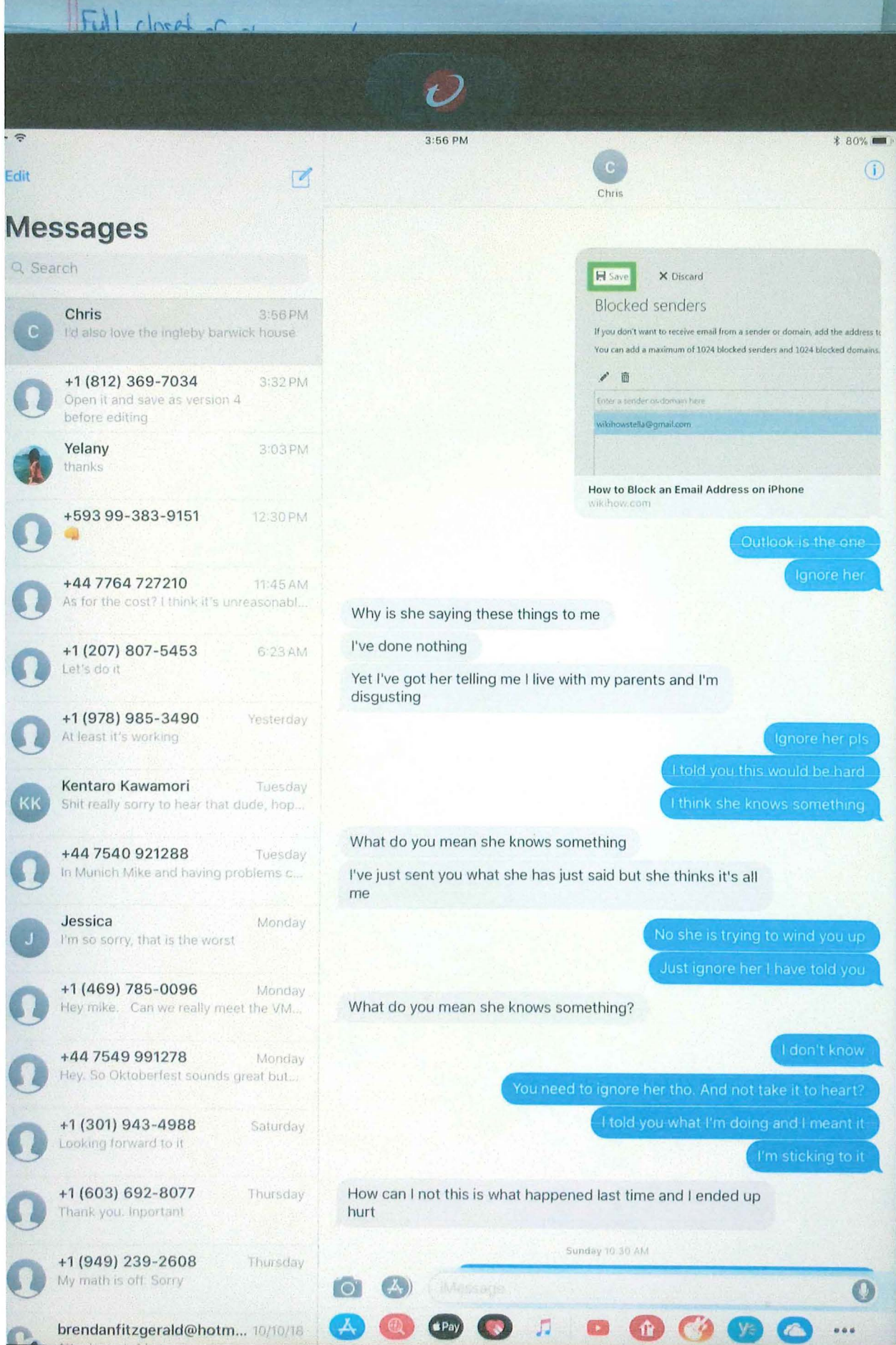
Exhibit F-7

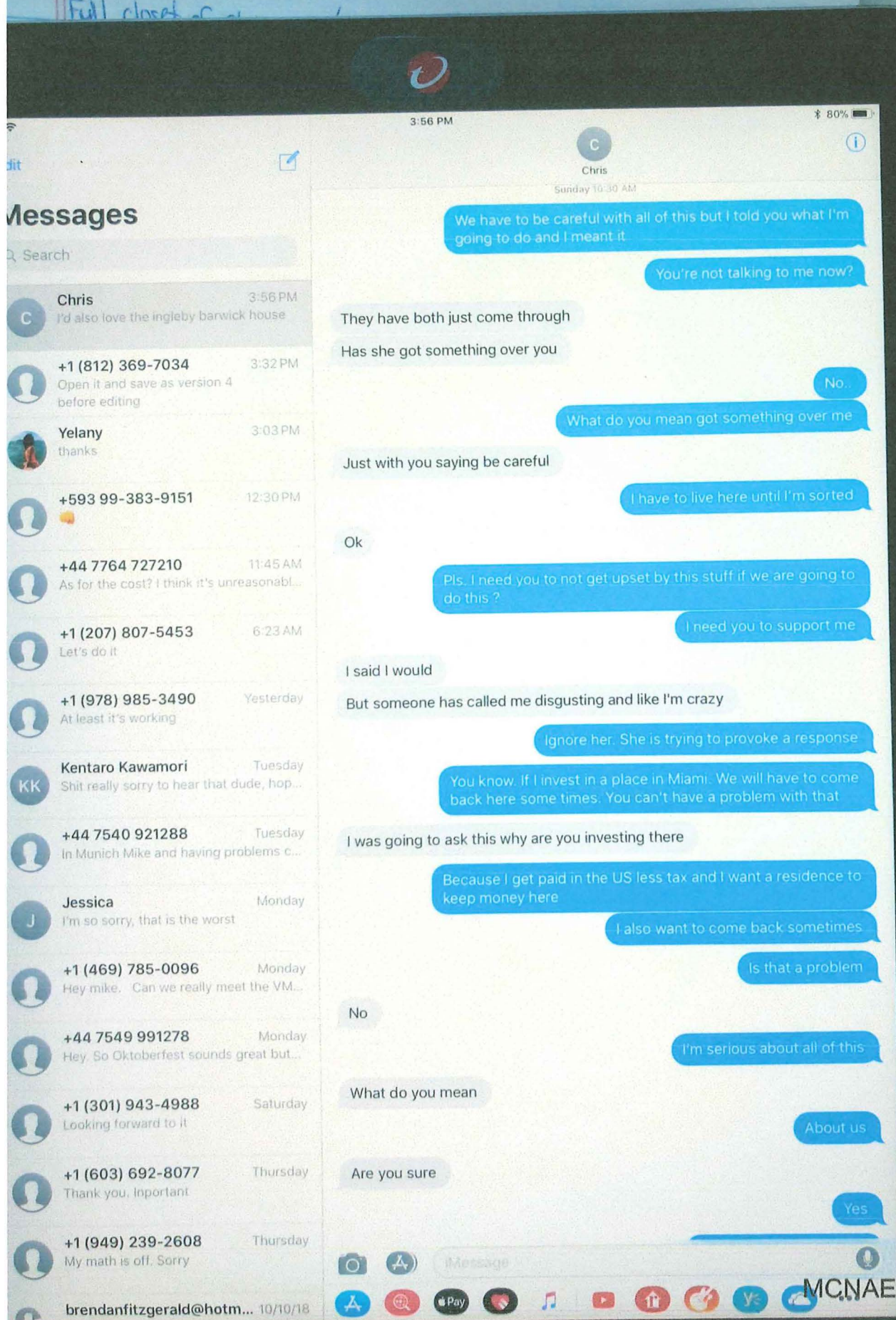


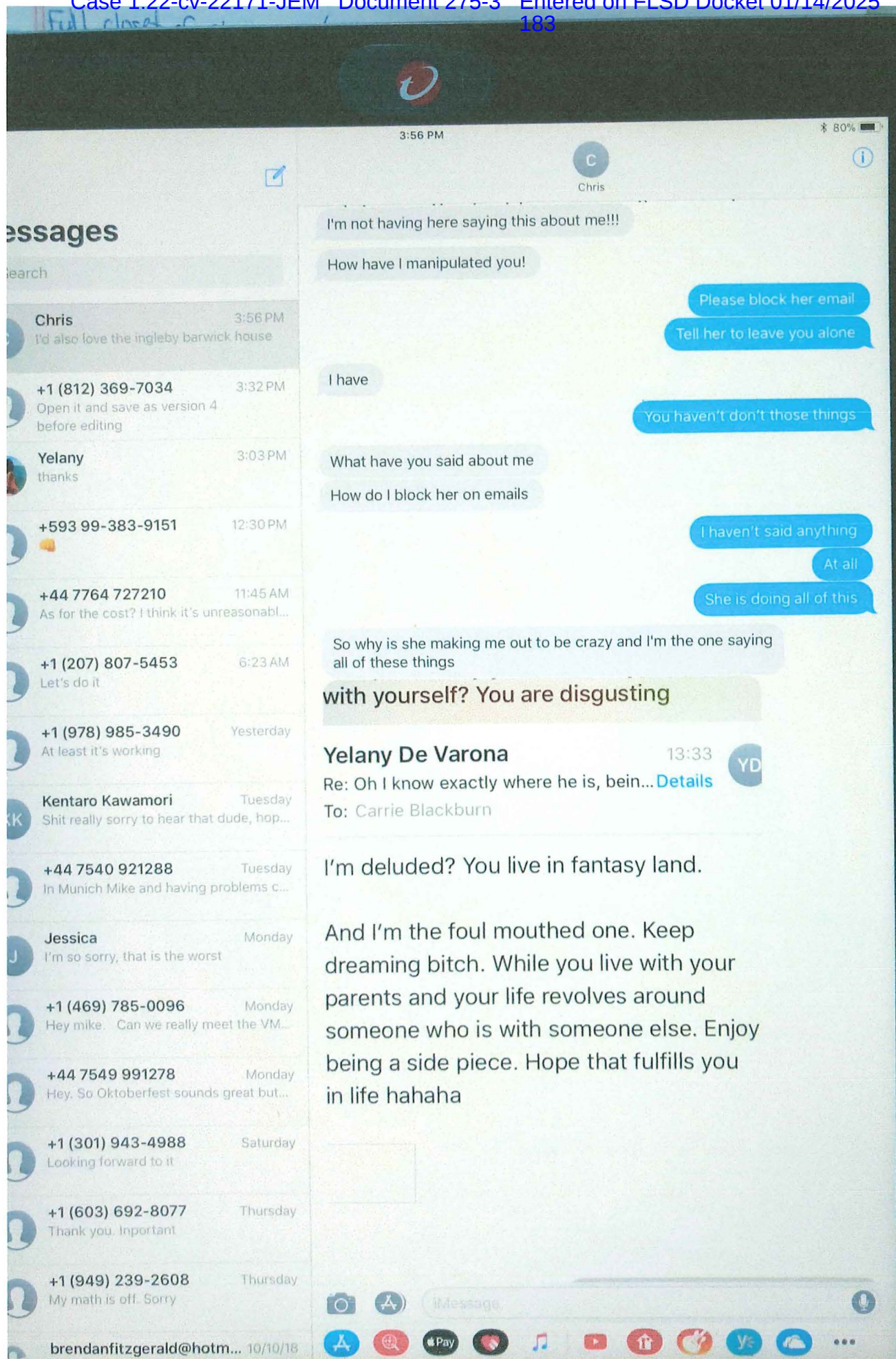












Declaration

Exhibit G

Declaration

Exhibit G-1

MCNAE 002127

MF	+1 786-858-5212	2/23/2020 16:02 Else
MF	+1 786-858-5212	2/23/2020 16:02 There's like 40 softwareone people in town
MF	+1 786-858-5212	2/23/2020 17:03 Heading to Seattle
MF	+1 786-858-5212	2/23/2020 17:03 <image>
MF	+1 786-858-5212	2/23/2020 17:03 Reading this right now
Ronda McNae	[Number Unknown]	2/23/2020 17:22 I could have picked out a far better book for you to read ðŸˆœ
MF	+1 786-858-5212	2/23/2020 17:23 Its actually quite good, my counsellor told me one of his patients recommended it
MF	+1 786-858-5212	2/23/2020 17:23 So he gave it to me
Ronda McNae	[Number Unknown]	2/23/2020 17:45 Aside from things with your sister... what else happened to you as a kid?
Ronda McNae	[Number Unknown]	2/23/2020 17:48 Light topics
Ronda McNae	[Number Unknown]	2/23/2020 18:16 and are you & yavonne officially back together?
MF	+1 786-858-5212	2/23/2020 23:50 Oh yes.. very lght topics
MF	+1 786-858-5212	2/23/2020 23:50 About me as a kid, a few things went on with me.. I was a troubled kid
MF	+1 786-858-5212	2/23/2020 23:50 Very hard for me to talk about to be honest
MF	+1 786-858-5212	2/23/2020 23:51 No, not officially. But I'm trying.
Ronda McNae	[Number Unknown]	2/24/2020 6:10 Ha, welcome back to seattle ðŸˆœ
Ronda McNae	[Number Unknown]	2/24/2020 6:11 I know you were troubled... trying to figure out what happened
Ronda McNae	[Number Unknown]	2/24/2020 6:13 How old were you during the Carrie (Karrie?) stuff?
MF	+1 786-858-5212	2/24/2020 6:30 With Kerrie. I never spoke about this for years, and I still struggle to talk about it. I think I was 8 or
MF	+1 786-858-5212	2/24/2020 6:31 Maybe even slightly younger
Ronda McNae	[Number Unknown]	2/24/2020 6:32 F! Spelled it wrong twice!
Ronda McNae	[Number Unknown]	2/24/2020 6:32 Well of course you would struggle to talk about it
Ronda McNae	[Number Unknown]	2/24/2020 6:39 How many times?
		Till this day, I don't remember how many times w my step dad ðŸŒˆðŸŒˆâ€”€Œ, felt like every
Ronda McNae	[Number Unknown]	2/24/2020 6:39 damn day for a year
MF	+1 786-858-5212	2/24/2020 6:44 I don't even know. For years I blocked it out and pretended it didn't happen
MF	+1 786-858-5212	2/24/2020 6:44 But I think maybe like ten times
Ronda McNae	[Number Unknown]	2/24/2020 6:45 What was the age difference?
Ronda McNae	[Number Unknown]	2/24/2020 6:46 Like full on? Slight difference with molestation and rape
Ronda McNae	[Number Unknown]	2/24/2020 7:40 Ok nevermind - sorry for asking
Ronda McNae	[Number Unknown]	2/24/2020 7:40 I was reading a book on childhood trauma that's why I asked
MF	+1 786-858-5212	2/24/2020 7:53 She is 8 years older than me
MF	+1 786-858-5212	2/24/2020 7:54 Actually I must have been younger because she wasn't 16
MF	+1 786-858-5212	2/24/2020 7:54 So maybe I was only 5 or 6
MF	+1 786-858-5212	2/24/2020 7:57 I can't really talk about this right now
MF	+1 786-858-5212	2/24/2020 7:57 I'm so nervous and anxious to go to my actual job today
MF	+1 786-858-5212	2/24/2020 7:57 I'm a wreck
Ronda McNae	[Number Unknown]	2/24/2020 8:07 Ah sorry! Yeah Will just asked if we three could meet together ðŸŒˆ
Ronda McNae	[Number Unknown]	2/24/2020 8:07 I'm physically ill now
MF	+1 786-858-5212	2/24/2020 8:08 I don't know how I'll deal with that but I'll do what you want
Ronda McNae	[Number Unknown]	2/24/2020 8:09 That's exactly what I told will how I felt
MF	+1 786-858-5212	2/24/2020 8:13 I want to see will on my own too. And you on your own too.. even just for 20 mins or so
MF	+1 786-858-5212	2/24/2020 8:13 Then you both can decide what else
Ronda McNae	[Number Unknown]	2/24/2020 8:14 Why separately? Just curious
		My counselor will definitely ask me why.... what's the purpose and I don't have an answer
Ronda McNae	[Number Unknown]	2/24/2020 8:15 ðŸŒˆðŸŒˆâ€”€Œ,
MF	+1 786-858-5212	2/24/2020 8:20 Just wanted to say some things 1-1
Ronda McNae	[Number Unknown]	2/24/2020 8:21 Alright, later this week? Or?
Ronda McNae	[Number Unknown]	2/24/2020 8:22 What day/time are you open?
MF	+1 786-858-5212	2/24/2020 8:25 I think I can make some time Wednesday and Thursday
Ronda McNae	[Number Unknown]	2/24/2020 8:26 Ok. Wills coming w me to my counseling apt Wednesday at noon.
MF	+1 786-858-5212	2/24/2020 8:29 Ok
Ronda McNae	[Number Unknown]	2/24/2020 8:34 And Wednesday night we have a sleep study with both kids (overnight) at the doc office.
Ronda McNae	[Number Unknown]	2/24/2020 8:34 When are you here till?
Ronda McNae	[Number Unknown]	2/24/2020 8:35 Maybe I'll pick will up for my apt. And I'll come early? You can run out to chat ?
MF	+1 786-858-5212	2/24/2020 9:03 I'll message back in a while. I'm just in this session
MF	+1 786-858-5212	2/24/2020 9:03 Not being ignorant
Ronda McNae	[Number Unknown]	2/24/2020 10:27 No worries. God I feel so sick today
MF	+1 786-858-5212	2/24/2020 10:33 Same. Nerves and anxiety at level 10000
		Just left my counselors office. Meeting with you alone isn't wise given my current emotional state.
Ronda McNae	[Number Unknown]	2/24/2020 13:11 She offered her mediating the conversation otherwise you, will, and myself can find a time
MF	+1 786-858-5212	2/24/2020 13:15 Ok. Of course I understand that and everything is completely up to you
		To be open. I really wanted to just go and say hi to will but I don't want to upset him so I haven't
MF	+1 786-858-5212	2/24/2020 13:15 and I've left him alone
MF	+1 786-858-5212	2/24/2020 13:18 And I also just really wanted to apologize to you face to face in private. I felt it was right to do
MF	+1 786-858-5212	2/24/2020 13:18 But maybe I record you a video ðŸŒˆðŸŒˆâ€”€Œ.

Ronda McNae	[Number Unknown]	2/24/2020 13:23	What are you even sorry for? Causing pain, not being open and vulnerable, not facing up to you both earlier, not supporting you
MF	+1 786-858-5212	2/24/2020 13:24	even as a friend
MF	+1 786-858-5212	2/24/2020 13:24	I'm sorry I ran away and hid a little. I should have been better Honestly, I don't know what good can come with even all of us sitting down to talk. I feel you took
Ronda McNae	[Number Unknown]	2/24/2020 13:30	advantage of me in Miami while I was drunk... then fed me lies of being together...
Ronda McNae	[Number Unknown]	2/24/2020 13:31	And I've been trying so hard to understand you to your core but I can't. There's just too many lies
MF	+1 786-858-5212	2/24/2020 13:32	Ok I understand that you don't want to talk But To be clear I did not take advantage of you. We both drank that night and I was in the same
MF	+1 786-858-5212	2/24/2020 13:32	boat as you were
Ronda McNae	[Number Unknown]	2/24/2020 13:33	Ah I meant Will feels I did not feed you lies about caring about you. You said to me you could never speak to me
MF	+1 786-858-5212	2/24/2020 13:33	anymore if I wasn't to follow through with you. I wanted you to be happy and I cared for you
MF	+1 786-858-5212	2/24/2020 13:33	So I'm sorry I went through with it but I wanted you to be happy
MF	+1 786-858-5212	2/24/2020 13:36	I'm sorry I made mistakes I'm sure you cared about me on some level as a friend but going as far as talking about being
Ronda McNae	[Number Unknown]	2/24/2020 13:36	together were lies
Ronda McNae	[Number Unknown]	2/24/2020 13:37	I'm not angry ... I just don't think w convo in person will do us good. Unless we are all three there I didn't think they were lies at the time but when I felt like I started to doubt them I should have
MF	+1 786-858-5212	2/24/2020 13:37	come forward instead of hiding
MF	+1 786-858-5212	2/24/2020 13:37	Which I did
MF	+1 786-858-5212	2/24/2020 13:37	Yes I am ok with that, I said it's completely your choice and I stand by it
MF	+1 786-858-5212	2/24/2020 13:38	I will do what you both want to do
MF	+1 786-858-5212	2/24/2020 13:38	I'd like to apologize to will privately if you don't mind
MF	+1 786-858-5212	2/24/2020 13:38	But if you want to see me together after that, I'm ok with it
MF	+1 786-858-5212	2/24/2020 13:38	Even if it makes me anxious and nervous Ok, you'll have to talk to him about that. He told me he would be willing to talk if it was all three of
Ronda McNae	[Number Unknown]	2/24/2020 13:39	us. To prevent the he said/she said stuff
MF	+1 786-858-5212	2/24/2020 13:44	Ok. I will ask him
MF	+1 786-858-5212	2/24/2020 13:44	But to be clear I'm open on both for your info
Ronda McNae	[Number Unknown]	2/24/2020 13:47	Huh?
MF	+1 786-858-5212	2/24/2020 13:55	I'm open to both options for you and will
Ronda McNae	[Number Unknown]	2/24/2020 14:57	Whoa, sex with Yelany the very next day! WTF Fitz.
Ronda McNae	[Number Unknown]	2/24/2020 14:57	And yes, Will knows
MF	+1 786-858-5212	2/24/2020 14:59	Yes I'll tell you both all about it when we meet
MF	+1 786-858-5212	2/24/2020 14:59	I'm happy to be open with you both
MF	+1 786-858-5212	2/24/2020 15:00	You might not like what I have to say but I'll be open
Ronda McNae	[Number Unknown]	2/24/2020 15:01	What's the point? You only tell people the truth once you know you're caught
Ronda McNae	[Number Unknown]	2/24/2020 15:20	Do you need to talk today? Will and I can be available
MF	+1 786-858-5212	2/24/2020 15:33	Hence why I wanted to talk to you one to one
MF	+1 786-858-5212	2/24/2020 15:33	To be vulnerable
MF	+1 786-858-5212	2/24/2020 15:36	I spoke to will openly, and I'll do the same with you both
MF	+1 786-858-5212	2/24/2020 15:36	I'm not causing any more pain for both groups
MF	+1 786-858-5212	2/24/2020 15:39	I'm not trying to cause anyone any problems
MF	+1 786-858-5212	2/24/2020 15:40	I'm trying to make good decisions
MF	+1 786-858-5212	2/24/2020 15:40	And be vulnerable Look, I'm not trying to make your life a living hell. Will and I just wanted the truth and we could
Ronda McNae	[Number Unknown]	2/24/2020 16:04	never count on you to tell us. I have questioned everything since the night in Miami... (rightfully so in many respects) Yelany asked me a few questions in return. This is why living in truth ðŸ™ˆ the time is always best.... otherwise everyone in your life will question your integrity and word. I was very vulnerable with Will and I will be with you. I have to talk to Yelany on my own when I'm ready but I'm not ready. I told you I'm trying to do the right thing since I started my counseling. I don't want any more pain for anyone. I can't live my life wanting to throw up and on egg shells all of the time. So I'm happy to meet you both tomorrow night and be open. I just told Will I will try
MF	+1 786-858-5212	2/24/2020 16:39	and do the right thing and I will. But I have to fix some things for myself too So as I said before. I'll support counseling, stick to my commitments for you both and will never
MF	+1 786-858-5212	2/24/2020 16:40	cause any more pain. I realize I have my issues and I'm trying to fix myself one step at a time I have to move forward with my life in a positive light and not create any more messes for myself or anyone else. I'm trying to do that.. I don't expect anyone to fix things for me. I also want you and
MF	+1 786-858-5212	2/24/2020 16:43	will to move forward positively

you're in a relationship with her. That's fucked up and you're only perpetuating everything.

You want to throw up? Imagine how I feel... I take you into our home into our family compromising Will's work life... and for what? You take advantage of the friendship? Push the envelope while I'm beyond drunk and incapable of making a decision either way and certainly wouldn't have made sober. I trust you to tell me the details and fill in the blank.. You knew damn well my recollection of the night was hardly there since I couldn't even remember when/where we kissed. Making me believe you wanted a life with me so it would take my focus off not remembering the night in Miami tell me you want to be with me blah blah but then sleep with Yelany the next night. Keep lying to me.... while lying to her. Oh and lying to Patrice. Did you honestly think I was that much of a fool?

I trusted you to be honest with with from day one... you have done NOTHING but lie. Fucking take ownership. Any truth that's come out of your mouth is bc I did my own investigating.

And yes, ðŸ™ˆ you will cover ALL my counseling costs, pay me the remainder of self help camp = \$4,800 so I can go again on my own or pay back the few friends that pitched in so I could go INCLUDING JOSH CONDIE! And hell yes you will cover marriage counseling. That's without question.

My counselor is helping me come up with a treatment plan which includes marriage counseling.

I'm not available to sit down to speak with you until after Wednesday at 2pm. I will at that point have a treatment plan prepared reflecting cost etc. maybe hold off on buying yourself a new boat and your parents a new boat ? Some things are more of a priority.... like your â€œfriendsâ€ mental health and marriage. Seriously, don't even fuck with me anymore. If this is just too much to handle, I can go another route.

Ronda McNae	[Number Unknown]	2/24/2020 19:54	I'm working on breaking down some of my own barriers and also doing the right thing by her. As
MF	+1 786-858-5212	2/24/2020 21:26	I'm comfortable with myself and my weaknesses I will share them
MF	+1 786-858-5212	2/24/2020 21:27	Yes I already said I would cover your counseling and marriage counseling, so pls share it with me and when I have money I will pay you. Right now I don't have money
MF	+1 786-858-5212	2/24/2020 21:29	I'm not playing the poor me / victim card. I have some issues and I'm working through them. I promised to myself I'd try and do the right thing since I've been working on them. So I will do that at my own pace and in the right way. I have been in a dark place many times before believe me.. so I know what I need to do
MF	+1 786-858-5212	2/24/2020 21:30	I have no appetite to upset or hurt either of you anymore. So I'll stick to my commitment of counseling and put it in writing if you like
MF	+1 786-858-5212	2/24/2020 22:08	Also later that night in Miami. You came back in my room and tried to get in the shower with me and I told you no.
Ronda McNae	[Number Unknown]	2/24/2020 22:09	I BELIEVE NOTHING THAT YOU SAY
Ronda McNae	[Number Unknown]	2/24/2020 22:09	you slept w Yelany the next night
MF	+1 786-858-5212	2/24/2020 22:10	You slept with Will the same night
Ronda McNae	[Number Unknown]	2/24/2020 22:10	Trust me, I wrote up a complete 10 page timeline of our entire friendship. It was already looked over and we were already given advice on the situation and what to do
MF	+1 786-858-5212	2/24/2020 22:11	What do you mean
Ronda McNae	[Number Unknown]	2/24/2020 22:11	Ok, conversation is done. If you want to talk to me, talk to me on the thread with Will. I'm not keeping anything from him
MF	+1 786-858-5212	2/24/2020 22:12	Ok. I'm ok with that
MF	+1 786-858-5212	2/24/2020 22:14	Miami was consensual. I would never take advantage of you
MF	+1 786-858-5212	2/24/2020 22:14	I feel sick to my stomach with you saying that
MF	+1 786-858-5212	2/26/2020 17:12	Hi, sorry I was giving you some space as you asked. I'm anxious but ok. How are you?
MF	+1 786-858-5212	2/26/2020 17:13	Can you please send that bank screenshot again?
Ronda McNae	[Number Unknown]	2/26/2020 17:20	Yeah, I figured we were incapable of having a productive conversation about anything
Ronda McNae	[Number Unknown]	2/26/2020 17:22	Will came to counseling today. I'm going back tomorrow and again Friday. Had a full on emotional break down this morning
MF	+1 786-858-5212	2/26/2020 17:23	I'm sorry you had that ðŸ™ˆ
MF	+1 786-858-5212	2/26/2020 17:23	How was your counseling
Ronda McNae	[Number Unknown]	2/26/2020 17:26	She asked (strongly recommended) to come see her 2-3 times a week for the next 1-2 months...
Ronda McNae	[Number Unknown]	2/26/2020 17:26	and do couples counseling one of those sessions a week which was far more then I had planned. Honestly, I could barely get anything out... couldn't stop crying
Ronda McNae	[Number Unknown]	2/26/2020 17:27	<image>
Ronda McNae	[Number Unknown]	2/26/2020 17:27	Here's banking information - thank you
MF	+1 786-858-5212	2/26/2020 17:28	I will setup the payment tomorrow. It will clear on the last day of every month until May. I'll then lump sum the rest
MF	+1 786-858-5212	2/26/2020 17:29	I understand. I'm a crier and when I'm vulnerable I cry a lot. Especially when something comes out that I've held in. Which is a lot for me. I almost cried in front of Will this week but I kept it in

The room is spinning for me before I go to sleep each night. I'm putting on a brave face in the office

MF +1 786-858-5212 2/26/2020 17:30 but I don't want to be here

MF +1 786-858-5212 2/26/2020 17:30 I'm sorry you are hurting. I seriously don't want to cause any more tears or hurt

Ah sorry. I had to get the kids packed up. They both have a sleep study so we are at Swedish

Ronda McNae [Number Unknown] 2/26/2020 19:28 hospital staying the night.

MF +1 786-858-5212 2/26/2020 19:34 Oh wow. What is the Swedish hospital

Ronda McNae [Number Unknown] 2/26/2020 19:34 Give me a few

Ronda McNae [Number Unknown] 2/26/2020 20:04 Swedish hospital is one of the main hospital chains here

Ronda McNae [Number Unknown] 2/26/2020 20:04 Had to check in to get kids hooked up

Ronda McNae [Number Unknown] 2/26/2020 20:08 As for the hurt, my counselor said it's going to take a lot of work to sort out these past couple

Will told her I haven't been myself since October... I dodge social settings, I haven't done any acting/modeling jobs like I used too, how I parent is affected ... literally you turned my world

Ronda McNae [Number Unknown] 2/26/2020 20:10 upside down

MF +1 786-858-5212 2/26/2020 22:19 Sorry it took me a while to respond. Didn't look at my phone for a min with a work meeting

MF +1 786-858-5212 2/26/2020 22:20 Hope it goes ok with the kids

MF +1 786-858-5212 2/26/2020 22:20 I also think I haven't been ok since then so maybe we understand

MF +1 786-858-5212 2/26/2020 22:21 I'm sorry that it is that way for you

MF +1 786-858-5212 2/26/2020 22:21 I hope the counseling is helping to repair some things

Ronda McNae [Number Unknown] 2/26/2020 22:39 Same ðŸ˜ˆ"

Ronda McNae [Number Unknown] 2/26/2020 23:13 When do you fly out?

MF +1 786-858-5212 2/27/2020 7:25 Sorry I went to sleep

MF +1 786-858-5212 2/27/2020 7:25 Tomorrow evening

Ronda McNae [Number Unknown] 2/27/2020 8:19 It's ok. Do you think it would be helpful to talk in person still?

I've been thinking about it and I mentioned it to my counselor she actually said it could really help. If we essentially had a counseling session with her ðŸŒ€ she said she would have to stay

Ronda McNae [Number Unknown] 2/27/2020 8:20 neutral and you get to share

Ronda McNae [Number Unknown] 2/27/2020 8:22 And she knows in the end... I just care about your mental health as much as mine

Ronda McNae [Number Unknown] 2/27/2020 10:07 Might be better then us three talking (u, me, will)

MF +1 786-858-5212 2/27/2020 10:37 Hey sorry. Was presenting and in a workshop so I'll be slow today

MF +1 786-858-5212 2/27/2020 10:38 I'm happy to whatever you want in all seriousness. Whatever that is.

Trying to figure out what's best. My counselor diagnosed me with acute ptsd. To say this hasn't hit

Ronda McNae [Number Unknown] 2/27/2020 16:57 me hard is an understatement

I'm really sorry you have that going on. I will let you be for a little while, and I'm here if you want to talk some more, but it's completely your decision. One thing tho. I need your bank name and

MF +1 786-858-5212 2/27/2020 17:09 address to do the payment setup. If you could provide it

Ronda McNae [Number Unknown] 2/27/2020 17:17 I'm just so frustrated that you feel like it wasn't a big deal

Honestly it feels like you distracted me after that night saying you wanted to be with me... only to

Ronda McNae [Number Unknown] 2/27/2020 17:19 keep my focus off of the lines that were crossed

I can't even remember where we actually had sex... if I could answer those questions then Will

Ronda McNae [Number Unknown] 2/27/2020 17:20 would leave me alone with this stuff ðŸ˜ˆ-

Ronda McNae [Number Unknown] 2/27/2020 17:20 I'm done talking about it with him... he doesn't see it like I do

Ronda McNae [Number Unknown] 2/27/2020 17:21 But I think the whole situation is too much for me

I feel like it's a huge deal. I know it's a huge deal, I'm just not very good with dealing with things or

MF +1 786-858-5212 2/27/2020 17:24 I'm not very good with words

MF +1 786-858-5212 2/27/2020 17:27 I huge anxiety and I'm massively overwhelmed

MF +1 786-858-5212 2/27/2020 17:27 Which makes me worse

MF +1 786-858-5212 2/27/2020 17:28 I have the same recollection of that night as you

Ronda McNae [Number Unknown] 2/27/2020 17:29 You're going to keep saying you're drunk now? Because you're worried about Will

Ronda McNae [Number Unknown] 2/27/2020 17:31 I get it, you won't say anything over text that's fine

MF +1 786-858-5212 2/27/2020 17:32 No I'm not hiding it

Ronda McNae [Number Unknown] 2/27/2020 17:32 I know you were drunk but you weren't blacked out

Ronda McNae [Number Unknown] 2/27/2020 17:32 I told you days after I didn't remember parts of it

MF +1 786-858-5212 2/27/2020 17:32 You told me he next day I was lying in the floor in the street

MF +1 786-858-5212 2/27/2020 17:33 The*

Ronda McNae [Number Unknown] 2/27/2020 17:33 No we were lying on the sidewalk

MF +1 786-858-5212 2/27/2020 17:33 Ok. Well I don't remember that

MF +1 786-858-5212 2/27/2020 17:33 So I was very drunk

MF +1 786-858-5212 2/27/2020 17:33 I told you the other day what I remembered

Ronda McNae [Number Unknown] 2/27/2020 17:34 Well now Will wants to pull all our past text messages ðŸ˜ˆ"

Ronda McNae [Number Unknown] 2/27/2020 17:34 Which Verizon said they would

Ronda McNae [Number Unknown] 2/27/2020 17:35 I'm trying to deal with my own emotions ... dealing with wills anger is a bit much for me

MF +1 786-858-5212 2/27/2020 17:35 How can I help you both?

MF +1 786-858-5212 2/27/2020 17:36 I want to do the right thing

Ronda McNae [Number Unknown] 2/27/2020 17:36 How has he been at work?

MF +1 786-858-5212 2/27/2020 17:36 I haven't been there today. I was in a separate meeting

Ronda McNae [Number Unknown] 2/27/2020 17:38 How was the convo u had w him?

MCNAE 002132

Mike,

You may or may not be aware by this point, Will and I went to the police. There are currently three open investigations on you. Charges ranging from harassment to sexual battery. This was something I needed to do for my own personal healing to move forward.

Unfortunately it's hard to know if you fully understand the gravity of your past choices and how they have severely affected me to my core as well as my family.

I'm writing you to give you a small window of opportunity to apologize in person face to face ... just you and I, otherwise I will move forward with charges against you criminally. Will and I don't see eye to eye on this, but I feel it's important to give you a chance.

Truly, I believe people can change for the better but not without ownership, accountability, and an apology.

Ronda McNae [Number Unknown] 3/19/2022 8:53 -Ronda

MCNAE 002133

Declaration

Exhibit G-2

Ronda McNae	[Number Unknown]	2/22/2020 9:52 <image>
Ronda McNae	[Number Unknown]	2/22/2020 9:52 So who should reach out first? Me?
Ronda McNae	[Number Unknown]	2/22/2020 9:52 Omg
Yelany De Varona	+1 786-302-9163	2/22/2020 10:00 You reach out first
Ronda McNae	[Number Unknown]	2/22/2020 10:14 Your thoughts?
Ronda McNae	[Number Unknown]	2/22/2020 10:14 What should i say?
Ronda McNae	[Number Unknown]	2/22/2020 11:08 Maybe I send it after he flies out to seattle?
Yelany De Varona	+1 786-302-9163	2/22/2020 11:27 Sorry running a mission for work
Ronda McNae	[Number Unknown]	2/22/2020 12:15 Omg
Ronda McNae	[Number Unknown]	2/22/2020 12:16 <image>
Yelany De Varona	+1 786-302-9163	2/22/2020 12:19 Wow sooo weird
Yelany De Varona	+1 786-302-9163	2/22/2020 12:19 I don't understand this
Ronda McNae	[Number Unknown]	2/22/2020 12:20 Ask him mom if she has any health issues
Ronda McNae	[Number Unknown]	2/22/2020 12:20 Also.. he said his dad died 8 months ago
Ronda McNae	[Number Unknown]	2/22/2020 12:20 LoL maybe she does?
Yelany De Varona	+1 786-302-9163	2/22/2020 12:20 Im on my way to pick him up with his parents
Yelany De Varona	+1 786-302-9163	2/22/2020 12:20 Lmao
Yelany De Varona	+1 786-302-9163	2/22/2020 14:11 Look at my story
Yelany De Varona	+1 786-302-9163	2/22/2020 14:12 Save it
Yelany De Varona	+1 786-302-9163	2/22/2020 14:12 Screen shot
Yelany De Varona	+1 786-302-9163	2/22/2020 14:12 Don't say anything yet tho
Ronda McNae	[Number Unknown]	2/22/2020 14:25 LoL
Yelany De Varona	+1 786-302-9163	2/22/2020 14:25 Yup
Yelany De Varona	+1 786-302-9163	2/22/2020 14:26 <image>
Yelany De Varona	+1 786-302-9163	2/22/2020 14:26 It looks natural but captures all the right content ðŸ˜œ
Yelany De Varona	+1 786-302-9163	2/22/2020 14:27 Yeah i'll try
Yelany De Varona	+1 786-302-9163	2/22/2020 14:27 Ok going back to playing pretend. Hope anniversary outing is going well xo Ha Keep on working it I want to have like a list of shit to be like oh hey what about this
Ronda McNae	[Number Unknown]	2/22/2020 14:27 what about this
Yelany De Varona	+1 786-302-9163	2/22/2020 14:28 Also you are right he's leaving tomorrow to get to Seattle Monday first thing
Yelany De Varona	+1 786-302-9163	2/22/2020 14:28 Ok gotta go
Yelany De Varona	+1 786-302-9163	2/23/2020 7:30 <image>
Yelany De Varona	+1 786-302-9163	2/23/2020 7:30 ðŸ˜œhere he goes trying to figure out how to spin it
Yelany De Varona	+1 786-302-9163	2/23/2020 7:38 <image>
Ronda McNae	[Number Unknown]	2/23/2020 7:47 Like wtf
Ronda McNae	[Number Unknown]	2/23/2020 7:47 <image>
Ronda McNae	[Number Unknown]	2/23/2020 7:47 Omg ðŸ™¸ðŸ™¸â€”€, what is he so concerned about?
Yelany De Varona	+1 786-302-9163	2/23/2020 7:51 <image>
Yelany De Varona	+1 786-302-9163	2/23/2020 7:51 Omg the argument right now
Yelany De Varona	+1 786-302-9163	2/23/2020 7:51 I wish you could read it all
Yelany De Varona	+1 786-302-9163	2/23/2020 7:51 Im literally in the bathroom trying to poop! And he opens up the convo about this shit
Yelany De Varona	+1 786-302-9163	2/23/2020 7:54 Hes concerned about you!
Yelany De Varona	+1 786-302-9163	2/23/2020 7:55 Seeing that he's lying He said his mom was sick in the UK lie! She's on a fucking boat on my insta. He said his dad
Yelany De Varona	+1 786-302-9163	2/23/2020 7:55 was dead lie! His dad is sun bathing on a boat
Yelany De Varona	+1 786-302-9163	2/23/2020 7:57 And having him on my story driving the boat just sums up that he is there and you know
Yelany De Varona	+1 786-302-9163	2/23/2020 7:58 Can you scroll up and send it to me
Yelany De Varona	+1 786-302-9163	2/23/2020 7:58 Did you mention the boat day?
Ronda McNae	[Number Unknown]	2/23/2020 7:58 Oh my word
Yelany De Varona	+1 786-302-9163	2/23/2020 7:58 What did he say at the big inning of that txt? No he told me... I think he's worried about will. He might think I didn't tell Will about his
Ronda McNae	[Number Unknown]	2/23/2020 7:59 dad
Ronda McNae	[Number Unknown]	2/23/2020 7:59 And Will follows u
Ronda McNae	[Number Unknown]	2/23/2020 7:59 <image>
Ronda McNae	[Number Unknown]	2/23/2020 7:59 <image>
Ronda McNae	[Number Unknown]	2/23/2020 8:00 Maybe be direct. Say who do you want me to block so you can chill out?

Yelany De Varona	+1 786-302-9163	2/23/2020 8:01	Ok let me try that
Yelany De Varona	+1 786-302-9163	2/23/2020 8:02	<image>
Yelany De Varona	+1 786-302-9163	2/23/2020 8:05	With the last part ðŸˆ€ Then can you ask if he's pushing you away bc he's coming to seattle? Bring me up so I can
Ronda McNae	[Number Unknown]	2/23/2020 8:05	get pissed off
Ronda McNae	[Number Unknown]	2/23/2020 8:05	Eeeek
Yelany De Varona	+1 786-302-9163	2/23/2020 8:05	I tried to make him feel like shit lol
Ronda McNae	[Number Unknown]	2/23/2020 8:06	I need to remember he's a dick
Yelany De Varona	+1 786-302-9163	2/23/2020 8:06	Ok
Ronda McNae	[Number Unknown]	2/23/2020 8:06	I'm afraid I'll meet up w him and start laughing my ass off bc he's a joke
Yelany De Varona	+1 786-302-9163	2/23/2020 8:11	<image>
Yelany De Varona	+1 786-302-9163	2/23/2020 8:12	<image>
Yelany De Varona	+1 786-302-9163	2/23/2020 8:15	Whatever. I think he's just telling me this so that I don't worry or think something is up
Yelany De Varona	+1 786-302-9163	2/23/2020 8:15	I just apologized and said ok I understand
Ronda McNae	[Number Unknown]	2/23/2020 8:16	He's such a dick to you
Ronda McNae	[Number Unknown]	2/23/2020 8:17	Just saw it
Ronda McNae	[Number Unknown]	2/23/2020 8:17	Of course you don't trust him! ðŸˆ€ ðŸˆ€â€”€Ÿ,
Ronda McNae	[Number Unknown]	2/23/2020 8:17	Maybe say... Will saw my story?
Ronda McNae	[Number Unknown]	2/23/2020 8:17	I'm stirring the pot
Yelany De Varona	+1 786-302-9163	2/23/2020 8:22	I don't want to make it too obvious
Yelany De Varona	+1 786-302-9163	2/23/2020 8:22	Im letting it go
Yelany De Varona	+1 786-302-9163	2/23/2020 8:23	So this obviously shows she isn't
Yelany De Varona	+1 786-302-9163	2/23/2020 8:23	I did it more for you on your side to have something when you met up with him
Yelany De Varona	+1 786-302-9163	2/23/2020 8:23	I mean his mom is suppose to be super ill and in the UK
Ronda McNae	[Number Unknown]	2/23/2020 8:27	No he told me she went on the boat w u
Ronda McNae	[Number Unknown]	2/23/2020 8:27	I think it has more to do w will
Yelany De Varona	+1 786-302-9163	2/23/2020 8:41	But before that he told you she was in the UK practically dying
Yelany De Varona	+1 786-302-9163	2/23/2020 8:41	Sooo that doesn't add up
Yelany De Varona	+1 786-302-9163	2/23/2020 8:42	<image>
Yelany De Varona	+1 786-302-9163	2/23/2020 8:42	This message? Wasn't this recently...
Ronda McNae	[Number Unknown]	2/23/2020 8:45	Yes
Ronda McNae	[Number Unknown]	2/23/2020 8:45	But he wasn't saying she's there right this min
Yelany De Varona	+1 786-302-9163	2/23/2020 8:50	ðŸˆ•
Yelany De Varona	+1 786-302-9163	2/23/2020 8:50	Ugh
Yelany De Varona	+1 786-302-9163	2/23/2020 8:50	I was under the impression he was saying she was there
Yelany De Varona	+1 786-302-9163	2/23/2020 8:50	Great
Ronda McNae	[Number Unknown]	2/23/2020 9:02	LoL no I'm telling you tho... it's bc he doesn't want will to see it
Yelany De Varona	+1 786-302-9163	2/23/2020 9:15	Well then at least he's seen it
Ronda McNae	[Number Unknown]	2/23/2020 9:50	U guys together?
Ronda McNae	[Number Unknown]	2/23/2020 9:50	<image>
Yelany De Varona	+1 786-302-9163	2/23/2020 9:52	Yup laying out at our pool
Ronda McNae	[Number Unknown]	2/23/2020 9:52	Omg! Sorry. I get nervous texting u if ur with him lol Omg, I just remembered... fitz is a fucker! I sent him this pic saying he reminded me of his
Ronda McNae	[Number Unknown]	2/23/2020 9:53	dead dad...
Ronda McNae	[Number Unknown]	2/23/2020 9:54	And he even mentioned he resembles Him
Ronda McNae	[Number Unknown]	2/23/2020 9:54	<image>
Yelany De Varona	+1 786-302-9163	2/23/2020 9:55	<attachment>
Ronda McNae	[Number Unknown]	2/23/2020 10:04	God I love you
Yelany De Varona	+1 786-302-9163	2/23/2020 10:11	LoL I look like death
Ronda McNae	[Number Unknown]	2/23/2020 10:12	When I was at fat camp!
Yelany De Varona	+1 786-302-9163	2/23/2020 10:12	When did you send that to him about his dad
Ronda McNae	[Number Unknown]	2/23/2020 10:12	Oh stop! You're beautiful
Ronda McNae	[Number Unknown]	2/23/2020 10:13	
Yelany De Varona	+1 786-302-9163	2/23/2020 10:17	I mean you saw his dad they are literally identical
Yelany De Varona	+1 786-302-9163	2/23/2020 10:17	Ugh yeah so messed up
Yelany De Varona	+1 786-302-9163	2/23/2020 10:18	I wonder if he will go to your appt

22-Dec

MCNAE 002209

Ronda McNae [Number Unknown] 2/23/2020 10:18 He for sure showed me pictures of that dad
Ronda McNae [Number Unknown] 2/23/2020 10:18 Yeah ðŸˆ! ðŸˆâ€™€
Yelany De Varona +1 786-302-9163 2/23/2020 10:19 Is that the one that died lol
Yelany De Varona +1 786-302-9163 2/23/2020 10:19 Which dad? The guy I posted...

Yelany De Varona +1 786-302-9163 2/23/2020 14:41 Well he's at the gym and then back finishing up packing and heading out to you all!!
Ronda McNae [Number Unknown] 2/23/2020 15:24 Hahaha he started texting again
Ronda McNae [Number Unknown] 2/23/2020 15:24 Figured he was away
Yelany De Varona +1 786-302-9163 2/23/2020 15:29 If course
Yelany De Varona +1 786-302-9163 2/23/2020 15:29 What did he say?
Yelany De Varona +1 786-302-9163 2/23/2020 15:29 Of*
Yelany De Varona +1 786-302-9163 2/23/2020 16:20 Have fun this week!!! He's all yours ðŸˆŽ
Ronda McNae [Number Unknown] 2/23/2020 17:23 Fell asleeeeeeep
Ronda McNae [Number Unknown] 2/23/2020 17:23 <image>

Ronda McNae [Number Unknown] 2/23/2020 17:23 Will said he's a sneaky bastard that's why he stays alone lol same excuse every time
Ronda McNae [Number Unknown] 2/23/2020 17:23 Sorrrrrry
Yelany De Varona +1 786-302-9163 2/23/2020 17:24 What do you mean stays alone?
Yelany De Varona +1 786-302-9163 2/23/2020 17:24 Like when he travels
Yelany De Varona +1 786-302-9163 2/23/2020 17:25 Debbie Ford..
Yelany De Varona +1 786-302-9163 2/23/2020 17:25 Whats the photo he sent?
Yelany De Varona +1 786-302-9163 2/23/2020 17:28 Im going to sleep on a min. I have to be up for calls from the UK.
Yes, he stays away from

Ronda McNae [Number Unknown] 2/23/2020 17:42 His team
Yelany De Varona +1 786-302-9163 2/23/2020 17:58 Yeah he's probably just hiding shit
Yelany De Varona +1 786-302-9163 2/23/2020 17:59 Im so happy to have 2 and a half weeks to do me ðŸˆfðŸˆ»ðŸˆŽ°
He's so paranoid but it's probably bc he has so many lies going and secrets he can't keep

Yelany De Varona +1 786-302-9163 2/23/2020 17:59 them straight
Yelany De Varona +1 786-302-9163 2/23/2020 17:59 Ugh
Ronda McNae [Number Unknown] 2/23/2020 18:15 Yeah... I so badly want to bait him somehow
Ronda McNae [Number Unknown] 2/23/2020 18:15 Hahahaha
Ronda McNae [Number Unknown] 2/24/2020 6:02 Hiiiiii
Ronda McNae [Number Unknown] 2/24/2020 6:02 <image>
I'll send you the questions.... what other bs should I ask him? I'll definitely continue asking

Ronda McNae [Number Unknown] 2/24/2020 6:03 what happened to him as a kid. I swear there's more
Yelany De Varona +1 786-302-9163 2/24/2020 6:09 Yeah send me the questions
Yelany De Varona +1 786-302-9163 2/24/2020 6:10 What is he talking about that his therapist recommended?
Ronda McNae [Number Unknown] 2/24/2020 6:11 The book
Ronda McNae [Number Unknown] 2/24/2020 6:11 Some dumb book that doesn't get deep
Yelany De Varona +1 786-302-9163 2/24/2020 6:11 Ask more detail about the extent of what happened with his sister...
Ronda McNae [Number Unknown] 2/24/2020 6:12 I swear he has his counselor fooled
Yelany De Varona +1 786-302-9163 2/24/2020 6:14 I swear he hasn't seen his counselor ðŸˆŒðŸˆŒðŸˆ -
Unless it's on the DL but I haven't seen a charge from their office on anything and he hasn't

Yelany De Varona +1 786-302-9163 2/24/2020 6:15 mentioned seeing him
Ronda McNae [Number Unknown] 2/24/2020 6:19 He said he found a new counselor?
Ronda McNae [Number Unknown] 2/24/2020 6:19 Ha I believe nothing either way
Ronda McNae [Number Unknown] 2/24/2020 6:20 Seriously I can't w fitz
Ronda McNae [Number Unknown] 2/24/2020 6:20 Omg he sent Will two texts last night
Yelany De Varona +1 786-302-9163 2/24/2020 6:25 What did he tell will?
Yelany De Varona +1 786-302-9163 2/24/2020 6:25 A new counselor? I doubt that highly
Ronda McNae [Number Unknown] 2/24/2020 6:27 Same
Ronda McNae [Number Unknown] 2/24/2020 6:27 Ahh I can send you the screen shot when he wakes
Yelany De Varona +1 786-302-9163 2/24/2020 6:28 It's ok not important word for word

Yelany De Varona +1 786-302-9163 2/24/2020 6:28 I'm at the dentist getting a cleaning and finding out I need to change out my crowns ðŸˆ™,,
Ronda McNae [Number Unknown] 2/24/2020 6:30 You just reminded me I need to schedule a cleaning
Ronda McNae [Number Unknown] 2/24/2020 6:30 Nooooooooo I hate the dentist
Yelany De Varona +1 786-302-9163 2/24/2020 6:31 I've had issues all my life with my stupid teeth

Yelany De Varona	+1 786-302-9163	2/24/2020 6:31 Yeah so do I
Yelany De Varona	+1 786-302-9163	2/24/2020 6:31 Genetics suck lol
Ronda McNae	[Number Unknown]	2/24/2020 6:31 <image>
Yelany De Varona	+1 786-302-9163	2/24/2020 6:33 Ok... why would Will care about his struggles
Yelany De Varona	+1 786-302-9163	2/24/2020 6:33 That's the part of mike trying to be the victim. No one gives a flying fuck how you feel! You fucked my wife!!! That's my inner Will that's
Yelany De Varona	+1 786-302-9163	2/24/2020 6:34 vulgar and really mad
Ronda McNae	[Number Unknown]	2/24/2020 6:34 Hahahahah I'm dying
Ronda McNae	[Number Unknown]	2/24/2020 6:35 Ugh I'm so stupid
Ronda McNae	[Number Unknown]	2/24/2020 6:35 I'm so mad at myself ðŸ˜ˆ!ðŸ˜ˆ!â€œâ€œ
Ronda McNae	[Number Unknown]	2/24/2020 6:35 For the record I soberly chose the first affair - just to be clear
Ronda McNae	[Number Unknown]	2/24/2020 6:36 ðŸ˜ˆ~"
Yelany De Varona	+1 786-302-9163	2/24/2020 6:36 I know
Ronda McNae	[Number Unknown]	2/24/2020 6:39 I have counseling today ðŸ˜ˆç
Yelany De Varona	+1 786-302-9163	2/24/2020 6:57 Are you going to ask her about him coming in with you...
Yelany De Varona	+1 786-302-9163	2/24/2020 6:57 So that when you talk it's almost like mediated
Ronda McNae	[Number Unknown]	2/24/2020 7:16 Wills coming in on Wednesday
Ronda McNae	[Number Unknown]	2/24/2020 7:16 No, I'm not wasting my time w it
Ronda McNae	[Number Unknown]	2/24/2020 7:19 We spoke to a lead detective out of Miami via text the other day
Ronda McNae	[Number Unknown]	2/24/2020 7:21 He's connecting Will with the lead of the special victims unit
Ronda McNae	[Number Unknown]	2/24/2020 7:27 Will has come up with a theory and I actually think he's on point
Ronda McNae	[Number Unknown]	2/24/2020 7:27 I know it makes me feel sick
Ronda McNae	[Number Unknown]	2/24/2020 7:28 It lines up with everything
Yelany De Varona	+1 786-302-9163	2/24/2020 7:32 What is it?
Yelany De Varona	+1 786-302-9163	2/24/2020 7:32 Want me to call? Lol
Ronda McNae	[Number Unknown]	2/24/2020 7:34 Ahh I'm getting ready and kids r home
Ronda McNae	[Number Unknown]	2/24/2020 7:34 Multitasking
Yelany De Varona	+1 786-302-9163	2/24/2020 7:35 Ok no problem I'll call you in an hour and a half. Walking into Barry's ðŸ˜ˆfðŸ˜ˆ»
Ronda McNae	[Number Unknown]	2/24/2020 7:40 Perfect
Ronda McNae	[Number Unknown]	2/24/2020 8:08 <image>
Ronda McNae	[Number Unknown]	2/24/2020 9:17 <image>
Ronda McNae	[Number Unknown]	2/24/2020 9:17 <image>
Yelany De Varona	+1 786-302-9163	2/24/2020 9:21 Fuck me
Yelany De Varona	+1 786-302-9163	2/24/2020 9:21 Call me when you finish I'm back in the car
Yelany De Varona	+1 786-302-9163	2/24/2020 9:21 Omg you think he's tracking mine
Ronda McNae	[Number Unknown]	2/24/2020 9:29 <image>
Ronda McNae	[Number Unknown]	2/24/2020 10:26 How will you talk to him about it?
Ronda McNae	[Number Unknown]	2/24/2020 10:26 Ok I sent you the questions
Yelany De Varona	+1 786-302-9163	2/24/2020 10:32 I dont know
Yelany De Varona	+1 786-302-9163	2/24/2020 10:33 Or screen shot out convo? And send it to him
Yelany De Varona	+1 786-302-9163	2/24/2020 10:33 ...
Yelany De Varona	+1 786-302-9163	2/24/2020 10:33 I'll just say you messaged me
Yelany De Varona	+1 786-302-9163	2/24/2020 10:33 What do you think
Yelany De Varona	+1 786-302-9163	2/24/2020 11:48 Call you in 10
Ronda McNae	[Number Unknown]	2/24/2020 11:49 I'll be in my counseling appointment
Yelany De Varona	+1 786-302-9163	2/24/2020 11:55 Call me after then

Ronda, Mike told me why you all aren't friends anymore. Will reached out to me with a letter about a month ago. He told me something went on with you both and I confronted Mike about it. Mike confirmed you slept together during the summer when you all were here visiting that weekend. I know Mike and I weren't together but I still think it's wrong considering Will was his closest friend and your marriage. Since you reached out and asked me questions do you mind answering a few of mine....

Mike did mention you came on to him that weekend in Miami. Is that true? What nights did you both sleep together? Sorry to be specific but I also slept with him during that time.

Did you have further relations with him after that weekend? He said you only slept together twice that weekend...

Are you and Will going to therapy? Mike mentioned you all asking him for money to cover it.

Mike said he is sitting down with you two this weekend to talk/apologize. Is there something I'm missing?

Thank you,

Yelany

Yelany De Varona	+1 786-302-9163	2/24/2020 12:25
Yelany De Varona	+1 786-302-9163	2/24/2020 12:25 That's what I was going to send on our insta thread. Lmk if I should and. or delete
Ronda McNae	[Number Unknown]	2/24/2020 13:07 Yes.... I think that's good
Yelany De Varona	+1 786-302-9163	2/24/2020 13:13 Call you in a min
Ronda McNae	[Number Unknown]	2/24/2020 13:25 At another doc apt lol
Yelany De Varona	+1 786-302-9163	2/24/2020 13:27 Sorry had a work call
Yelany De Varona	+1 786-302-9163	2/24/2020 13:27 Lol ok
Ronda McNae	[Number Unknown]	2/24/2020 13:29 <image>
Ronda McNae	[Number Unknown]	2/24/2020 13:43 <image>
Yelany De Varona	+1 786-302-9163	2/24/2020 13:45 Do you honestly feel he took advantage of you or was just drunk too
Yelany De Varona	+1 786-302-9163	2/24/2020 13:45 Ah I meant Will. You should of said you did feel that way!
Yelany De Varona	+1 786-302-9163	2/24/2020 13:45 If you did I did but I want to tell
Ronda McNae	[Number Unknown]	2/24/2020 13:45 Him that to his face
Ronda McNae	[Number Unknown]	2/24/2020 13:46 And with having little memory... that freaks me out
Yelany De Varona	+1 786-302-9163	2/24/2020 13:46 Yeah I understand
Ronda McNae	[Number Unknown]	2/24/2020 13:46 I don't know his limit.... I just know things went to a place I wouldn't have gone sober I have gone crazy looking back through old messages I sent "as his friend" and no
Ronda McNae	[Number Unknown]	2/24/2020 13:47 where did I flirt or make him believe I liked him
Yelany De Varona	+1 786-302-9163	2/24/2020 13:47 It's definitely not right to hook up with someone especially for the first time wasted
Yelany De Varona	+1 786-302-9163	2/24/2020 13:49 I don't want to steer you in any direction. I want you to make this choice on your own. I feel that way knowing what I know today and unfortunately I had to hear it from my
Ronda McNae	[Number Unknown]	2/24/2020 13:49 counselor to believe it
Yelany De Varona	+1 786-302-9163	2/24/2020 13:49 And be strong about it. Stick to what you believe. Ok, then do what you feel. If you really think he knew you were wasted and took
Yelany De Varona	+1 786-302-9163	2/24/2020 13:49 advantage then do what you think is best. I just don't know what to say to him
Ronda McNae	[Number Unknown]	2/24/2020 13:50 Via text

Declaration

Exhibit H

When?

I put it behind me and decided to be a good person

In november?

I started concentrating on my family and you and me

We had sex the day after

You kissed her

I know I made mistakes

So many mike

To be clear we were both very drunk


Smashed

Like how could you do that to ppl you are friends with

Delivered


And I actually think she came on to me

MCNAE 004402




Yes I wanted to talk about it
when I was ready in my mind

Oh ok




But if you had asked me if have
been open

Well thats what lying is





Like I just was




I'm not having my life in a.
Washing machine of pain
anymore

You talk about things when they
come up because if you cover it
up then you are lying



I'm concentrating every day on
being better at judgement with
myself and others

What happened with you and
Ronda? Be honest?





But it's not the life I want

What life do you want?

Because your record shows you want to do what you want and respect no one



I want the life I've started living

I have a been a good person since then

I focused on my families happiness

And our happiness



If you can't see that then maybe it won't work with us

Maybe You haven't noticed a change in me.. and that's ok if not.. I wont cause any mess for you

I'm sick of pain and stupidity in my life



It's time I grew up

MCNAE 004378

Yes it is time you did that





After a couple of weeks of talking to you I knew I wanted to be us properly

You said you were so great and life was so great

Then your summer girlfriend vanished and you start sleeping with your friends wife

Thats opposite of life is good



Since I decided to commit to you

That's not fair



I made a mistake

Mike you continue to make mistakes over and over . Why cant you just be a good person?!



I was enjoying my life



Yes

Its hurtful



I had been partying



But it's not the life I want

MCNAE 004415

I have to call dieter



He is asking me to

you had sex with her right after
like when she was still here on
that trip? So you fucked her then
fucked me then fucked her

jeez

Ok

Go call



Yes I did



And I wasn't in a good place

Well thats the complete opposite
of what you were telling me



I never thought we would get
back together

I thought you'd just had sex with
me

After a couple of weeks of
talking to you I knew I wanted to
be us properly



You said you were so great and

MCNAE 004385

You just slept with her that
once?



We slept together twice

Im not going to hide anything
from you at all



When?



Delivered

Straight after

I was in rampage mode

And I didn't have control of
myself

I went to counseling to sort
myself after

I'll share the full details with you
tonight

I have nothing to hide at all

And wanted to share with you at
some point

But you know that I struggle to
be vulnerable and I was being
very careful



MCNAE 004391

I've never been tempted to either

So I haven't got anything on my mind other than this large tax bill

My ipo atuff

My work stresses

And the fact I was worried you might have slept with Ross

So I haven't had a problem with me or our relationship at all

So the thing that you think is wrong is ya

Us*

I dont like that you aren't open when you say you will be and you weren't

then accuse me of cheating with my boss!

You might like to risk work but I dont

Declaration

Exhibit I

Declaration

Exhibit I-1

https://www.softwareone.com/en/about/leadership/executive-board

softwareONE

Investors About Us Careers Blog Partner Programs PyraCloud Login


PyraCloud Solutions Industries Insights

Search


SoftwareONE

Welcome > About Us > Our Leadership > Executive Board


Executive Board




Dieter Schlosser
Chief Executive Officer, with SoftwareONE since 2012
[Read CV](#)




Rodolfo J. Savitzky
Chief Financial Officer, with SoftwareONE since 2022
[Read CV](#)



Alex Alexandrov
Chief Operating Officer, with SoftwareONE since 2017
[Read CV](#)



Neil Lomax
President of Sales, with SoftwareONE since 2008
[Read CV](#)



Bernd Schlotter
President of Services, with SoftwareONE since 2021
[Read CV](#)

Executive Leadership Team

Raphael Erb
Regional Lead APAC

Mike Fitzgerald
Chief Innovation Officer

Andre Fraser
Group Head of Controlling

Ashley Gaare
Regional Lead NORAM

John Mayes
People Officer

Sean Nicholson
Global Director Technology Services

Rene Nulsch
Chief Information Officer

Susanna Parry-Hoey
Global Chief Marketing Officer

Joerg Rieker
Global Lead Consulting

Frank Rossini
Group General Counsel & Board Secretary

Darryl Sackett
Global Director Software Lifecycle Management

Reinhard Waldinger
Regional Lead EMEA

Jonas Wenger
Group Head of Accounting & IFRS

Joerg Windbichler
EVP Strategy, M&A

softwareONE Empowering Companies to Transform.

Contact
SoftwareONE AG |
Corporate Headquarters
Riedenstr. 4
CH-6370 Stans
info@softwareone.com
+41 44 832 41 69

Solutions
PyraCloud
Managed Backup
Managed Security Services
Software Lifecycle Management
Simple Services
User Productivity

Insights
Blog
On-Demand Content
Case Studies
Industries
Media Releases

Useful Links
Imprint
Privacy Statement
Terms and Conditions
Code of Conduct
Local Offices
Careers

SoftwareONE
SoftwareONE is a leading global provider of end-to-end software and cloud technology solutions. It enables commercial, technology and digital transformations using IP and technology-driven services. Clients can modernize applications and migrate critical workloads on public clouds while optimizing their related software and cloud assets and licensing in parallel.

61°F Mostly cloudy

MCNAE 002088

11:43 AM 7/28/2022

Declaration

Exhibit I-2

Date : 4/15/2020 3:02:06 PM
From : "Gaare, Ashley" ashley.gaare@softwareone.com
To : "Mayes, John" John.Mayes@softwareone.com
Subject : Findings
Attachment : image002.png;

<https://www.gofundme.com/f/healing-for-ronda>

Based on my research, she is a model/actress/social media influencer. (tik tok, Instagram, facebook, blogger, etc.)

:)

Best,

Ashley Gaare
North America Leader
Direct. 262 317 5522
Mobile. 262 527 3725

Software One, Inc.
20875 Crossroads Circle Suite 1
Waukesha, WI 53186
USA

software**ONE**

In 2020, during a conversation regarding the sexual assault allegations against Michael Fitzgerald, Ashley Garre stated that leadership at SoftwareONE was either tied to the U.S. business or global operations, making no mention of SoftwareONE UK. At the time, the existence of SoftwareONE UK was not apparent to the Defendant. However, it now appears that SoftwareONE is attempting to separate itself from SoftwareONE UK to deflect accountability. This strategic distinction seems designed to obscure the connections and responsibilities shared across the entities, further underscoring their disregard for addressing serious criminal allegations and prioritizing self-preservation over accountability.

Declaration

Exhibit I-3

Showing Fitzgerald is directly involved in all internal investigations within SWO.

Date : 6/6/2019 3:42:58 PM
From : "McKinney, Juli" Juli.McKinney@softwareone.com
To : "Chopra, Mukul" Mukul.Chopra@softwareone.com, "Chopra, Mukul" Mukul.Chopra@comparex.com
Cc : "Ravencroft, Patty" Patty.Ravencroft@softwareone.com, "Fitzgerald, Mike" Mike.Fitzgerald@softwareone.com
Subject : RE: Investigation
Attachment :
image001.png;image002.png;image003.png;image004.png;image005.png;image006.png;

Mukul,

We conducted and completed a thorough investigation into your complaints and determined that there is no basis to believe that you were the subject of any illegal retaliation or discrimination.

By the conclusion of your first PIP, it was clear that there were long-standing miscommunication issues between you and your previous manager. To address this situation, we moved your reporting relationship to a new manager who does not have a prior relationship with you. However, because your performance under the first PIP did not alleviate the Company's serious performance-related concerns, we implemented a second PIP to continue to address the issue. If you wish to remain employed by the Company, you will need to comply with the terms of the second PIP.

Thanks,
Juli

CONFIDENTIALITY NOTICE: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail and attachments from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

Declaration

Exhibit I-4

Will McNae (3:40 PM):

Hey... I spoke with Khristy. She was cranky with my news.

Will McNae (3:40 PM):

I'm sorry if she hit you up once we hung up.

Will McNae (3:41 PM):

She'll be fine.

Will McNae (3:48 PM):

She did make a very interesting comment that I'll share with you at some point in the future.

Jared Cheney (3:49 PM):

Man – everyone on my team is going to be cranky.

Will McNae (3:50 PM):

Not Chelsey.

Will McNae (3:50 PM):

He was fine.

Will McNae (3:50 PM):

Unemotional.

Jared Cheney (3:50 PM):

He wasn't at all – he called me right after.

Jared Cheney (3:50 PM):

All kinds of pissed off.

Will McNae (3:50 PM):

What?

Will McNae (3:50 PM):

And thinks he put 2 and 2 together...

Jared Cheney (3:51 PM):

He's funny that way.

Will McNae (3:51 PM):

Khristy says, "Oh... I think I know who you're talking about."

Will McNae (3:51 PM):

I didn't say anything.

Will McNae (3:51 PM):

He has learned he can be emotional with me but doesn't trust himself most of the time.

Jared Cheney (3:51 PM):

CC was pretty sure too.

Jared Cheney (3:51 PM):

I left it alone.

Will McNae (3:51 PM):

But her comment did make me puzzled after I hung up as to why she immediately thought of someone.

Will McNae (3:52 PM):

Did either of them figure it out on their own? I've been very reserved about my info.

Jared Cheney (3:52 PM):

Chelsey was spot on.

Jared Cheney (3:52 PM):

But I didn't confirm or deny anything – just moved past it.

Will McNae (3:53 PM):

Smart.

Will McNae (3:53 PM):

OK – thank you.

Jared Cheney (3:53 PM):

Khristy is likely spot on as well.

Jared Cheney (3:53 PM):

But there could be other similar culprits... not sure.

Will McNae (3:54 PM):

True.

CONVERSATION BETWEEN SOFTWAREONE'S JARED CHENEY AND THE DEFENDANT'S HUSBAND, WILL MCNAE, AN EMPLOYEE OF MICROSOFT. IN THIS EXCHANGE, MR. MCNAE INFORMS JARED CHENEY THAT HE HAS SPOKEN TO KHRISTY YOUNG AND REPORTED THE ASSAULT INVOLVING MICHAEL FITZGERALD.

Declaration

Exhibit I-5

1 Anthony W. Trujillo, State Bar #248860
 2 TRUJILLO & WINNICK, LLP
 3 2919 1/2 Main Street
 4 Santa Monica, CA 90405
 5 Telephone: 310.210.9302
 6 Facsimile: 310.921.5616

7
 8 Attorney for Plaintiff JANE DOE
 9

10
 11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 12 **COUNTY OF ORANGE**
 13

14 JANE DOE,

15 Plaintiff,

16 v.

17 SOFTWARE ONE, INC. dba
 18 SoftwareONE, ROSS MACDONALD,
 19 and Does 1-20, inclusive,

20 Defendants.
 21
 22
 23
 24
 25
 26
 27
 28

CASE NO.: 30-2019-01045961-CU-WT-CJC

DECLARATION OF WILL ELLIOTT

Date: March 8, 2021

Time: 1:30 p.m.

Dept.: C42

Judge: Hon. David A. Hoffer

Filed: January 22, 2019

1 I, Will Elliott, declare:

2 1. I have personal knowledge of the facts contained herein and, if called upon,
3 could competently testify thereto. I was not promised anything in exchange for me giving this
4 declaration.

5 2. I remember Plaintiff complaining about being excluded from executive
6 meetings and leadership events. The dynamic was interesting; it was a highly selective group
7 of younger males invited to it.

8 3. In January 2017, at the National Sales Kick-off ("NSK") meeting in Cancun,
9 Mexico, it was mayhem. I remember this human resources employee hitting on numerous
10 other employees, which led to multiple complaints about sexual harassment. The
11 environment was caused by the CEO, Patrick Winter, who was out of control. Patrick's
12 partying antics were widely known, being up all night and then his ability to function the next
13 morning. At the NSK in 2017, SoftwareONE arranged for open bars during business
14 meetings, and the young male executives, such as Patrick, would promote the drinking. Even
15 the hotel rooms for the employees had free endless booze. Plaintiff was mindful and correct
16 to advise her team to be careful not to drink so much during the NSK because many others
17 were sent home and terminated for inappropriate behavior at this NSK.

18 4. Patrick Winter hired Mike Fitzgerald, and he was a real piece of work. Mike
19 Fitzgerald, because of Global Leader of Solutions Sales Specialist. He was also out of
20 control and got crazy drunk at one of Patrick Winter's events, ended up in a fight, and then
21 the emergency room, but nothing ever happened to him, even though it was the
22 SoftwareONE's paid events. Rules did not apply to Fitzgerald, as he was one of the Boy's
23 Club. He never helped us, but he never was held accountable. We all complained about him,
24 which never improved because he was part of the boy's club.

25 5. The boys club was tight. The higher up, the more leeway you got away with
26 behavior. For example, Sean Nicholson, the Global Tech Leader, would bully people and
27 treat them poorly, but nothing happened to him.

1 6. Amy Horowitz was a sales manager in her late 40's and doing a great job, but
2 she was replaced by a male named Jake Hays from Australia because he wanted to return
3 to the United States. Amy had earned the role, yet it was given to a younger male, that was
4 not from Texas.

5 7. I am unaware of any unacceptable behavior by Plaintiff which would have led
6 to her termination. Plaintiff was always a professional. I never heard about any issue with
7 her work performance or leadership. She was always responsive and did an outstanding
8 job. Plaintiff knew what she was doing and could contribute excellent knowledge and various
9 business relationships to the Company.

10 8. They had a pattern of hiring young males or attractive young girls, and I do not
11 remember any female executives. We had a mid-year event in Fargo, and Plaintiff was the
12 only female executive. She received grief from Oliver Berchtold regarding the event. I did not
13 understand how she was put in that position of grief from him. I think that Plaintiff was set up
14 for a failure.

15 9. I felt discriminated against at SoftwareONE because of my age. I am 58 and
16 felt that my age was an issue in my role at SoftwareONE. I was the oldest person around
17 and not given the same opportunities. These young international guys thought they could
18 behave however they wanted without recourse.

19 I declare under penalty of perjury, pursuant to the laws of the State of California that
20 the foregoing is true and correct.

21 Executed on 2/23/2021.

DocuSigned by:

Will Elliott

89EE1D0DE0554F5...

WILL ELLIOTT

Declaration

Exhibit I-6

1 Anthony W. Trujillo, State Bar #248860
 2 TRUJILLO & WINNICK, LLP
 3 2919 1/2 Main Street
 4 Santa Monica, CA 90405
 5 Telephone: 310.210.9302
 6 Facsimile: 310.921.5616

7 Attorney for Plaintiff JANE DOE

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 9 **COUNTY OF ORANGE**

10
 11 JANE DOE,

12 Plaintiff,

13 v.

14 SOFTWARE ONE, INC. dba
 15 SoftwareONE, ROSS MACDONALD,
 16 and Does 1-20, inclusive,

17 Defendants.

CASE NO.: 30-2019-01045961-CU-WT-CJC

DECLARATION OF JOHN DE LOS REYES

Date: March 8, 2020

Time: 10:00 a.m.

Dept.: C24

Judge: Hon. Thomas A Delaney

Filed: January 22, 2019

TRUJILLO & WINNICK, LLP

1 I, John De Los Reyes, declare:

2 1. I have personal knowledge of the facts contained herein and, if called upon,
3 could competently testify thereto.

4 2. I started working for SoftwareONE in December 2016. I was hired to sell
5 Microsoft's Unified Communications ("UC") product at the time named "Skype for Business,"
6 now it is named "Teams." When I started working for SoftwareONE, I worked for Plaintiff
7 who was the Global Practice Lead for the Skype for Business team which is also known as
8 the UC team.

9 3. In early 2017, SoftwareONE changed the commission structure for the
10 representatives without changing their salaries. As a result, many of the representatives that
11 Plaintiff supervised had their commissions dropped by approximately 50%. Plaintiff did not
12 make this decision, but the decision upset many of the employees she supervised in early
13 2017.

14 4. I recall Shannon Culley and Ben Powell were upset and complaining about the
15 restructuring of the commission structure, for which they also incorrectly blamed Plaintiff. Ben
16 Powell was fired because he did not achieve his sales numbers and was fired by another
17 manager months after being reassigned from Plaintiff's team. Shannon Culley was a Sales
18 Solutions Specialist that had issues with alcohol and was fired because he fell off the wagon,
19 went dark, and stopped doing his job.

20 5. Issues with alcohol abuse were not uncommon at SoftwareONE, particularly at
21 the National Sales Kick-off ("NSK") meeting in Cancun, Mexico, in January 2017. The CEO
22 and co-founder of SoftwareONE, Patrick Winter, called the female employees on the bar to
23 pour champagne down their throats. Patrick had poured champagne on the female
24 employees of SoftwareONE other times as well. Patrick stole a resort golf cart, was chased
25 by security, and then ran it into the ocean. He was out of control.

26 6. There was a big problem with alcohol at the NSK in 2017. I was propositioned
27 by an HR Leader, who was reported to have done the same with multiple employees at NSK.
28 She, along with several other employees, was terminated because of their behavior at this

TRUJILLO & WINNICK, LLP

1 NSK.

2

3 7. During the same NSK in 2017, I saw Patrick, Oliver Berchtold, CIO, Neil Lomax-
4 USA President and John Mayes – Global Leader of HR and Mike Fitzgerald- Global Leader
5 of Sales Solutions Specialists in their underwear, laying around the pool in the morning after
6 partying all night. The pool area was littered with empty bottles and clothing. In addition to
7 Mike Fitzgerald and Sean Nicholson, these guys were the boy's club that ran SoftwareONE.
8 They were all in their 30s early 40s. All of them still work at SoftwareONE, except for Patrick,
9 who unexpectedly died of a heart attack at 45 years old in 2018 in Ibiza, Spain.

10 8. Plaintiff, as an older female, was not part of this boys club. As a result, Plaintiff
11 was intentionally put in positions where she could not succeed. She was boxed out, like a
12 basketball game. She was put in a spot where she did not have access to information.
13 Despite Plaintiff's exemplary performance as a team leader, she was left out of meetings and
14 ignored.

15 9. Sean Nicholson, Global Head of Services, had meetings in Plaintiff's specialist
16 area and intentionally left her out. Sean Nicholson informed me that Plaintiff was removed
17 from the budget and planning meetings because she was no longer a part of the Leadership
18 Team and her job was to simply sell UC solutions. They just cut her out. She was removed
19 from the team emails and calls. Plaintiff was consistently set up to fail. I tried to help her in
20 every way I could, but they stacked the odds against her.

21 10. On one occasion, Mike Fitzgerald, who was Head of Solution Sales, Skype for
22 Business, was supposed to meet Plaintiff and Microsoft in Seattle, but he disappeared.
23 Plaintiff was left waiting for the meeting in Seattle until Mike finally replied to her texts and
24 told her that he had met with Microsoft without her.

25 11. I was also in New Orleans when Jason Cochran got drunk and started yelling
26 at Plaintiff. I remember him calling Plaintiff a "bitch" and he told her that she lived in Patrick's
27 world.

28

TRUJILLO & WINNICK, LLP

1 12. Oliver Berchtold treated Plaintiff differently and did not respect her in the
2 meetings. Oliver did not treat Plaintiff fairly and did communicate needed information to her
3 on occasion. Oliver told me to take over her duties as the leader of the Skype for
4 Business. Oliver informed me to leave Plaintiff out of United Communications' decisions
5 (previously referred to as Skype for Business). Plaintiff was removed from the Skype for
6 Business/UC team's leadership role and placed into a sales role. Plaintiff effectively relegated
7 to a salesperson or Sales Solutions Specialist covering North America after her demotion.

8 13. When Plaintiff was demoted in 2018, I took over Plaintiff's role as the Global
9 Practice Lead for Skype for Business and became the global leader for SoftwareONE's UC
10 practice. I replaced Plaintiff and managed the SoftwareONE's UC practice team that Plaintiff
11 had previously led before being inappropriately demoted. I replaced Plaintiff in both roles she
12 held at SoftwareONE, except for the Global Alliance part which I still don't understand as
13 having any duties. I was in my early 40s.

14 14. Around the same time in 2018, Taylor Anderson was hired as a Sales Solutions
15 Specialist for Unified Communications sales covering North America, which Plaintiff had
16 covered before she was terminated from her role as a Sales Specialist, also referred to as
17 "Sales Solutions Specialist." At the time, Taylor Anderson is also much younger than Plaintiff
18 in his 40s.

19 15. While I was employed at SoftwareONE, Plaintiff was the only female executive
20 or team leader. Lack of diversity is also a big problem at SoftwareONE. At one NSK I
21 attended, John Mayes confirmed while speaking from the stage to the employees that
22 SoftwareONE had a diversity problem. Younger men dominate SoftwareONE. The
23 executives and leaders are a younger group of males in their late thirties and early forties.
24 They did not promote any women executives. I think that Plaintiff's gender played a significant
25 role in her demotion. Her gender and age, and her complaints, were the primary factors that
26 caused SoftwareONE to terminate her employment.

27 16. The decision to terminate Plaintiff in 2018 was not based on any bad behavior
28 by Plaintiff or the restructuring of the solutions specialist team. I believe that the men from

1 the UK and Switzerland did not want to deal with Plaintiff after disapproval of how the young
2 male executives treated the female employees at NSK in 2017. She was a former business
3 owner and would have been treated differently had she been a man.

4 17. While SoftwareONE gave Plaintiff a misleading title, her new role was to sell
5 UC in North America. There are still UC sales today, and that team is growing. They can't
6 find enough people to keep up with the UC sales demands. SoftwareONE still has sales
7 representatives and a Sales Solutions Specialist specializing in UC. There has always been
8 a need for dedicated sales focus on UC, including Skype for Business, now called "Teams."
9 There are dozens of Sales Solutions Specialists at SoftwareONE today. There is an existing
10 specialization in Unified Communications, which was Plaintiff's area of specialty referred to
11 as Skype for Business at the time. When Plaintiff was terminated, there were still Sales
12 Solutions Specialist positions.

13 18. The decision to terminate Plaintiff in 2018 was not because of any redundancy
14 of Plaintiff's role caused by SoftwareONE's acquisition UC Point. When Plaintiff was
15 terminated, I had already replaced her as the Global UC Lead, and Taylor Anderson had
16 been hired to assume her North America territory. UC Point was not redundant to the team
17 in the USA. UC Point white-labeled software, and they were based in Germany. Bringing
18 on UC Point would not have impacted what Plaintiff did every day, sold in the USA.

19 19. When SoftwareONE terminates an employee, they are immediately prevented
20 from accessing any devices previously provided, i.e., laptop or hard drive. The
21 SoftwareONE's IT department locks the employees' devices remotely immediately after
22 employment termination and installs lockers, which means that all of the information on these
23 devices is no longer accessible to the former employee.

24 I declare under penalty of perjury, pursuant to the laws of the State of California that
25 the foregoing is true and correct.

26 Executed on 2/19/2021 _____

DocuSigned by:
John De Los Reyes
BBD5862EC7D945D

JOHN DE LOS REYES

Declaration

Exhibit I-7

1 Anthony W. Trujillo, State Bar # 248860
2 TRUJILLO & WINNICK, LLP
3 2919 1/2 Main Street
4 Santa Monica, CA 90405
5 Telephone: 310.210.9302
6 Facsimile: 310.921.5616

7 Attorney for Plaintiff JANE DOE

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF ORANGE**

10 JANE DOE,

11 Plaintiff,

12 v.

13 SOFTWARE ONE, INC. dba
14 SoftwareONE, ROSS MACDONALD,
15 and Does 1-20, inclusive,

16 Defendants.

CASE NO.: 30-2019-01045961-CU-WT-CJC

DECLARATION OF BOB FRANKLIN

Date: March 8, 2021
Time: 1:30 p.m.
Dept.: C42
Judge: Hon. David A. Hoffer

Filed: January 22, 2019

17
18
19
20
21 I, Bob Franklin, declare:

22 1. I have personal knowledge of the facts contained herein and, if called upon,
23 could competently testify thereto.

24 2. I started my employment at SoftwareONE, Inc. in February 2016.

25 3. There is a "boy's club" at SoftwareONE. I am a guy, but not in the club. I was
26 one of the older guys, 48 at the time. Plaintiff was in her 50s and was discriminated against
27 because of her age and gender. SoftwareONE had severe issues with diversity which the
28

TRUJILLO & WINNICK, LLP

1 boy's club has ignored.

2 4. She was a former business owner, was great as a leader, and would have been
3 treated differently had she been a man. SoftwareONE also disciplined females different than
4 males, including those that were part of the boy's club.

5 5. There was much gallivanting around, and things could quickly get out of hand
6 with the boys' club. You do not see many strong, talented, and beautiful women like Plaintiff
7 who can handle herself in the tech world. She did it with class. I think it threatened the "boy's
8 club," and they alienated her because she is female, in her 50s. She appeared to be a threat
9 to the "boy's club," so they decided to get rid of her.

10 6. Plaintiff was the only female executive while I was working at SoftwareONE,
11 Inc. SoftwareONE's core executive team for North America was all male, except for Plaintiff.

12 7. I never heard a single complaint about Plaintiff's behavior. She always
13 communicated effectively and supported those employees she worked with at SoftwareONE.
14 I recognized Plaintiff's capacity as a great leader and knowledgeable in her industry, as I
15 came from the same space and could recognize her talents. Her sales ability was excellent,
16 and she was a closer. She could carry the deal from pre-sales to post-sales, she knew it all,
17 and her reputation carried much weight with clients. Plaintiff's behavior and performance
18 were exemplary and always professional. Even in the evenings, when there was much
19 drinking by the guys. She maintained herself at every moment. She was highly regarded as
20 a great example of a corporate executive and elevated the professionalism at SoftwareONE.

21 8. Skype for Business, now Teams, is expanding rapidly. At no point would a
22 global company in the tech space wind down Unified Communications' efforts, it is a multi-
23 billion-dollar industry.

24 I declare under penalty of perjury, pursuant to the laws of the State of California that
25 the foregoing is true and correct.

26

27

28

2/25/2021

Executed this _____.

DocuSigned by:

Robert S. Franklin

D7F08436FB614F0...

BOB FRANKLIN

TRUJILLO & WINNICK, LLP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Declaration

Exhibit I-8

TRUJILLO & WINNICK, LLP

1 I, James Brannon, declare:

2 I have personal knowledge of the facts contained herein and, if called upon, could
3 competently testify thereto.

4 1. I have personal knowledge of the facts contained herein and, if called upon,
5 could competently testify thereto.

6 2. I previously worked at SoftwareONE, Inc.

7 3. There was a "boys club" culture at SoftwareONE, including but not limited to
8 Neil Lomax, Oliver Berchtold, Mike Fitzgerald, and Jason Cochran. At that time,
9 SoftwareONE's CEO - Patrick Winter, created the "boys club," composed entirely of young
10 male executives. The lack of diversity, especially within the executive level, was one thing I
11 hated about SoftwareONE.

12 4. In 2017, SoftwareONE decided to restructure the UC/Skype compensation plan
13 for the UC/Skype for Business employees regarding bonuses and commissions.
14 SoftwareONE later restructured my role to that same position to quit having to pay me the
15 bonuses earned and changed to a commission with unrealistic capabilities to do it. The last
16 year worked at SoftwareONE, and I took a \$55,000 pay cut because they moved me into that
17 position. My position was related to presales technical advance.

18 5. The Unified Communications employees that worked under Plaintiff were
19 moved into universal solution services positions instead of focusing on Unified
20 Communications or Skype for Businesses. SoftwareONE moved Plaintiff's team into the
21 same positions where they would not sell what they were told they needed to sell. They were
22 taking money out of all of our pockets.

23 6. Plaintiff complained about what happened during the National Sales Kick-off
24 ("NSK") meeting and the male leaders' unacceptable behavior. Patrick Winter called female
25 employees, who were mainly in their 30's, to get on stage while he was pouring crystal
26 champagne down their throats.

27

28

TRUJILLO & WINNICK, LLP

1 7. Plaintiff refused to get on the stage and participate because she felt that CEO
2 forcing females to let him pour champagne all over them was demeaning to women. Patrick
3 Winter has been known to do a lot of crazy things. That may have been the first time that
4 Plaintiff was present to experience this. I was at a party in Canada where Winter forced
5 everyone to walk up on stage and poured champagne down their throats.

6 8. The alliance role that Plaintiff got demoted to was created specifically for her.
7 They moved her position and changed responsibilities, and that was when they started
8 eliminating her from any leadership decisions and meetings.

9 9. SoftwareONE did what they could to make sure that she could not succeed.
10 Gilbert Ginn, Services Leader, told me that Plaintiff's package was set up not to hit her bonus
11 and numbers. They changed Plaintiff's sales team's compensation and cut their paychecks
12 by \$50,000 or more. Everyone was super disgruntled by the changes created to their
13 compensation plans, with no warning, instantly, their income dropped significantly.

14 10. When I worked at SoftwareONE, there was only one female executive. At
15 SoftwareONE, a female employee being given an executive position is extremely rare
16 because they discriminate against women.

17 11. I never heard a single complaint about Plaintiff while working at SoftwareONE.
18 Plaintiff was a talented professional and a great team leader. Her team always praised
19 Plaintiff's hard work for SoftwareONE and how much they liked working for such a supportive
20 manager. Plaintiff also had in-depth knowledge about the UC practice and an excellent
21 source for her team.

22 12. I remember a lawsuit against SoftwareONE regarding one of the female
23 employees who engaged in sexual relations with another male employee. He quit sleeping
24 with her, broke up with her, and finally terminated her employment. She filed a discrimination
25 lawsuit against SoftwareONE shortly after.

26 13. SoftwareONE hires females for the sales positions, usually in their mid to late
27 twenties to early thirties. The management and leadership did not treat them seriously.
28

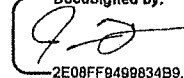
1 14. There was always much discrimination. In 2017 I remembered SoftwareONE
2 hired talented people who won awards for the previous year's performance, and then after
3 the restructure and Plaintiff's complaints, they fired all of them. Each of these employees
4 were over 50 years old.

5
6 15. I felt that if the employee reached his 40's or a little over 40 years old, he would
7 probably be on the way out from SoftwareONE. Therefore, age discrimination was a current
8 issue.

9 16. I believe that there were two determining factors why Plaintiff got terminated.
10 The first reason I see is that she is a woman. SoftwareONE acquired Plaintiff's business,
11 restructured her business, reassigned her employees, and did not want to pay her the fair
12 remuneration that they agreed on.

13 I declare under penalty of perjury, that according to the laws of the State of California,
14 that the previous is true and correct.

15 Executed on 2/19/2021.

16
17 DocuSigned by:
18 
2E08FF9499834B9...

19
20
21
22
23
24
25
26
27
28
James Brannon

Declaration

Exhibit I-9

Anthony W. Trujillo, State Bar # 248860
TRUJILLO & WINNICK, LLP
2919 ½ Main Street
Santa Monica, CA 90405
Telephone: 310.210.9302
Facsimile: 310.921.5616

Attorneys for Plaintiff JANE DOE

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

JANE DOE,

Plaintiff,

v.

SOFTWARE ONE, INC. dba
SoftwareONE, and Roes 1-20, inclusive,

Defendants.

CASE NO.: 30-2019-01045961-CU-WT-CJC

**DECLARATION OF JANE DOE IN
SUPPORT OF MOTION FOR NEW TRIAL**

Case Filed: January 22, 2019

1 I, JANE DOE, declare as follows:

2 1. This declaration is submitted in support of my application for entry of court judgment.
3 The following facts are within my knowledge and, if called a witness herein, I can and will
4 competently testify thereto.

5 2. I am a 53-year-old female who lives in Huntington Beach, California. I held the
6 position of Chief Executive Officer before working for SoftwareONE. I have been a leader in I.T.
7 since 1994, founding one of the first AT&T partnerships in Orange County. In 2011 I transitioned to
8 cloud technologies and am also a certified Lync Engineer and Technical Specialist for Microsoft.

9 3. SoftwareONE signed an agreement in March of 2016 to purchase my Irvine-based
10 company, called "House of Lync," a global Microsoft Unified Communications practice. Microsoft's
11 Unified Communication (U.C.) application was initially named Lync, next Skype for Business, and
12 currently TEAMS. March 7, 2016, I accepted the terms offered by SoftwareONE. I entered into a
13 contract with SoftwareONE in Costa Mesa, California. The agreement between SoftwareONE, a
14 Swiss Company, and I included my employment as part of the purchase price. Neil Lomax did not
15 decide to hire me. SoftwareONE's Board of Directors decided to purchase my company and include
16 my employment as part of the purchase price.

17 4. In 2017, SoftwareONE's Solutions Team for Skype for Business Solution Specialists
18 was only occupied by men.

19 5. During the latter part of January 2017, I made a complaint to Neil Lomax, President
20 of the USA, regarding the discriminatory culture at SoftwareONE that I had experienced at the NSK
21 in Cancun and the compensation plan. I do not recall the exact date, but I know it was within a couple
22 of weeks of the NSK during January 2017. After that, I made numerous complaints, I cannot recall
23 each instance I complain, but it was quickly I more than many times.

24 6. On or about February 15, 2017, Oliver Bertchold, the Global CIO, sent out an email
25 which described the performance bonus structure. Attached hereto as **Exhibit 1** is a true and correct
26 copy of the email from Oliver on February 15, 2017 regarding the commission structure. Every
27 quarter I achieved met the goal a received a bonus.
28

1 7. On April 20, 2017, I received an email regarding my quarterly bonus, as reflected on
2 the 2017 SoftwareONE Compensation Plan. At SoftwareONE, all employees had a Performance
3 Addendum created by their leader with their goals to get paid a quarterly bonus. I was paid a bonus
4 every quarter for meeting my goals for my entire employment at SoftwareONE. It is just one example
5 of how I met the job requirements that were expected of me to perform at peak while at SoftwareONE.
6 Attached hereto as **Exhibit 2** is a true and correct copy of the email I received on April 20, 2017.

7 8. The facts to be obtained for these quarterly performance addendum and bonus
8 documents are essential to opposing the motion and show pretext. This email with the attachment
9 only one of the other similarly quarterly performance documents that were not produced, and we have
10 heard SoftwareONE testify as to why they have not been produced because of the motion to compel
11 not being granted. Additional time should be granted to get these documents before holding no
12 evidence that could show that my performance was the reason for my termination because it was not.

13 9. SoftwareONE has not produced or been required to testify about the travel and
14 Expense files, which show the exhaustive time on the road to fulfill the role of 6 people in the USA
15 and Canada, as a new Solutions Specialist.

16 10. On October 9, 2017, Jason Cochran, Leader of the USA Services team, publicly
17 blasted and yelled at me that SoftwareONE "is a guy's club" and that as a woman, I was "never going
18 to make it" in the company. I was told that I "needed to learn to live within Patrick's world." At that
19 time, Patrick was the CEO and then unexpectedly and mysteriously died in Ibiza at the age of 45.
20 Patrick had made it clear that he did not want women in leadership positions at SoftwareONE. I
21 immediately reported the discriminatory statements to the H.R. department at SoftwareONE.

22 11. On another occasion, Mr. Jacob Hayes, a general manager for a decade at
23 SoftwareONE, told me "I would have challenges advancing at the company because it was a boy
24 club." Mr. Hayes was sympathetic to me about SoftwareONE's preventing women from holding
25 senior positions.

1 12. During our weekly Leadership calls regarding the Skype for Business team's
2 financials and activities, Oliver Berchtold, the Global CIO, muted me and treated very harshly. I had
3 several post-meeting calls with the head of M&A, Victor Martinez, asking why I was being treated
4 in this manner and why Oliver was belittling me. After that, Victor nick-named the calls "The Dentist
5 Appointment for Carol with Oliver." I had many conversations with John De Los Reyes, the Services
6 Lead for SfB regarding the demeaning comments and disregard for me, yet no one else; the calls
7 included several men and myself. After several months of demeaning and abusive meetings in front
8 of my male counterparts, I noticed that the team calls, and other meetings had been deleted from my
9 calendar without notice or respect of a conversation as a professional. Furthermore, I was still
10 expected to perform my role, even after I was exiled without notice. I was publicly reprimanded for
11 missing meetings, all the while knowing I was being sabotaged by Oliver. I sent a message to Oliver
12 asking if there was an error, he replied, we will let you know if we need you. I was stunned and hurt.
13 I repeatedly called Neil Lomax, the President, asking for help with a situation which was spiraling
14 out of control and he replied, call Oliver, I can't help you. It was then that I realized that I was being
15 retaliated against because I would not succumb to the demeaning and demoralizing behavior of the
16 "Boys Club". I had created the SfB practice and received global recognition from Microsoft as one
17 of 20 in the world with this type of complex practice. Several I.T. magazines interviewed and
18 referenced me as a top Executive in this Microsoft specialty.

19 13. During a meeting in New York City, Shane Cronin, a male in his late 20's and a new
20 leader of the office, commented to me that I was his mother's age. Before becoming the Leader, I
21 had an excellent relationship with Kevin Suckow, a man my age, the former Leader who quit. New
22 York is a leading market, and up until Shane's arrival, I had excellent traction with the team. Twice
23 I had set dinner meetings with Shane in New York City to strategize on growth within his market,
24 twice he canceled last minute. Later I was informed by Adam, a Business Dev Manager, that Shane
25 and Neil Lomax's brother are best friends. Again, I realized I was being set up to fail because I wasn't
26 accepting the demeaning behavior towards me. I wanted to do my job at all costs.

1 14. In late April 2017, Neil Lomax told me that he had stripped me of my title and duties
2 as Practice Lead. I was immediately demoted to a Salesperson for SFB, without any explanation the
3 form is not filled out except for the creative title I was given. Mr. Lomax told me that I was being
4 transferred to where my "talents were most needed" and never mentioned anything about my
5 performance or existing issues with my previous management. As suggested by the lack of any
6 reference to such on the personnel action form.

7 15. I was emotionally devastated, tumbled back to where I had started at the age of 20. I
8 was humiliated in front of a team that I led for many years with great comradery and respect and my
9 industry peers. Neil sent me an email requesting that I perform the duties humbly, which I did and
10 received endless field team accolades. I chose to pull up my bootstraps and work one on one with
11 new hires, going back to the basics and making the impact I had been asked to do by the company's
12 President. Neil included a bogus additional title of Alliance Practice Lead for Microsoft in addition
13 to my sales specialist role. I have several emails where I requested direction on tasks and performance
14 objectives. He directed me to Sean Nicholson, Global Services Leader, and Mike Fitzgerald, Global
15 Sales Specialist Leader. Both of these men excluded me from meetings, trainings, and emails with
16 Microsoft, even after repeated asks for inclusion. One evening I waited at a restaurant for a Microsoft
17 meeting in Seattle for Mike Fitzgerald. I sent him texts verifying the location as I sat waiting. Later
18 that night, he informed me that he already had the meeting. I brought this up to Neil's attention
19 repeatedly and was given the same run-around.

20 16. The outright intentional exclusion became so outlandish that I sent an I.M. (of which
21 I have a copy) to the Chief of Staff, Shelly Bodine, asking "that she put in my H.R. File that I have
22 left on an island and can't perform my duties because of the behavior by the Leaders (of which were
23 much younger males), they were intentionally removing of me from email groups and updates." I
24 never received an inquiry from H.R., investigation, or follow-up from my boss, Neil Lomax. The
25 Personnel Action Record did not list any needed information, including failure to identify that action
26 was being taken.

1 17. Once I had the new role, I would inquire with Neil about the other part of the new
2 role's performance metrics, and he repeatedly said, "We need you to focus on driving sales." I never
3 missed my target and was paid each and every quarter for my performance.

4 18. I was one of the few if any, females that held senior positions at SoftwareONE until I
5 was unlawfully demoted for reasons none other than my complaints and my status as both female and
6 older than nearly all of my coworkers.

7 19. After I was demoted to a salesperson, John De Los Reyes replaced me as the Leader
8 of the Skype for Business team, also known as the Unified Communications ("U.C.") team.

9 20. Neil Lomax never coached me, but after I was demoted, I was supposed to have
10 monthly calls with Neil Lomax, of which he missed well more than half. His Chief of Staff, Shelly
11 Bodine, and I would use the time to review my progress in the new role, and on several occasions,
12 she would tell me about the compliments and appreciation of my talents at the field level. One of the
13 Business Development Reps, Lindsey Roussel in Texas, recommended me for a recognition award.
14 Neil Lomax never tried to train, coach, or help me, neither did Lacreitia Hall, John Mayes, or Patty
15 Ravencroft. They excluded me and sought to get rid of me.

16 21. Oliver Berchtold, Global CIO, scolded me on my expense reports and even suggested
17 I eat at McDonald's in order to keep costs down. My workload was such that I was gone from my
18 home for up to 3 weeks at a time. Initially I was covering the entire east coast and mid-west, left with
19 a couple of days each month to return to my home in Huntington Beach to handle mail and laundry.
20 A few months into the role, Brian Emery who was the only one of 6 Sales Specialist remaining and
21 who covered the west coast quit, leaving me with the entire USA and Canada. My expense reports
22 were in the thousands each month and I was again scolded on a team call and told to roll back my
23 travel, yet keep up the field support to the Business Development Managers. Even with my hands
24 tied behind my back, I continued to hit my quarterly numbers, yet unable to provide coverage in
25 person on a regular basis to grow the revenue. I received many calls from the Business Development
26 Managers requesting my talents in person and I had to deny their requests. The U.C. – Skype for
27 Business application was growing at a significant pace and became a \$40B a year product for
28

1 Microsoft. I could not explain to the team why I was unable to grow in my role as a Sales Specialist,
2 especially considering my 30 years of experience. It was evident that I was segregated from the men
3 on the team.

4 22. On Monday, July 20, 2018, Mr. Lomax asked to speak with me on a conference call
5 with Patty Ravencroft, Head of H.R., and Jascha Walter, In-house Counsel. He informed me of the
6 subsequent conversation of his decision to terminate my employment. Mr. Lomax told me that I was
7 being replaced by a male who was less qualified and experienced. The pretext for my termination
8 was explained that SoftwareONE did not need two leaders for SFB, and corporate leadership had
9 selected a new executive from a recent acquisition. Of importance, I had not been retained in a
10 leadership role since my demotion to a Salesperson in April 2017. The second reason I was informed
11 of my termination was that SoftwareONE no longer needed my sales role talents. In May 2018, I was
12 contacted by a former employee, Taylor Anderson, who worked for me in 2010 asking for job, I
13 referred him to John De Los Reyes, who was now leading the SFB team, and he was hired as a Sales
14 Solutions Specialist to assist me with coverage in the USA. Clearly, SoftwareONE kept this team and
15 expanded it and currently has employee searches on their website for people who have the exact
16 qualifications that match my resume. Hence the reason for my termination was not in line with the
17 explanation that was pretextual.

18 23. August 2, 2018, I sent a written request to SoftwareONE regarding the disbursements
19 that were owed to me as wages at my termination time. In response to my inquiry, SoftwareONE's
20 representative, Mr. Walter, informed me that SoftwareONE would be withholding any further
21 compensation owed to me until I signed the separation agreement proposed by SoftwareONE.

22 24. Women comprise less than 15% of SoftwareONE's core executive team for North
23 America. I can only recall two female executives: Patty Ravencroft and Amy Horowitz. I was not
24 the only target of gender discrimination at SoftwareONE. Amy Horowitz also encountered explicit
25 denials of advancement for female employees in favor of male equivalents, actions that are clear
26 examples of gender discrimination. She told me that she had made complaints, and I heard her in a
27 sale leadership meeting that she had made complaints, but they were ignored. Finally, she quit when
28

1 she passed over for a general manager position given to Australian males in the TOLA region she had
2 worked in for years.

3 25. On October 19, 2018, I made a confidential written complaint regarding gender
4 discrimination and retaliation (amongst other things). I requested an investigation also notified
5 SoftwareONE in writing of my intent to file a lawsuit regarding my employment with SoftwareONE
6 in California. Incorrectly, SoftwareONE describes this confidential and privileged letter as two
7 separate demand letters on October 19, 2018, and "another demand letter" also on October 19, 2018.

8 26. On or about November 6, 2018, SoftwareONE's claimed it had every intention of
9 providing me with a response. Still, it had "not yet been able to complete our investigation" but
10 expected to complete the investigation by November 20, 2018. SoftwareONE's attorneys then asked
11 to have until December 12 to respond. Unbeknownst to me, SoftwareONE was preparing the
12 complaint in the Present Case.

13 27. On December 11, 2018, I filed a complaint about harassment, discrimination, and
14 retaliation against SoftwareONE with the Department of Fair Employment and Housing (DFEH) for
15 the State of California (DFEH Matter Number: 201812-04469511). That same day, I obtained my
16 Right to Sue notice which was subsequently served on Plaintiff SoftwareONE. Only three (3) days
17 after obtaining the Right to Sue notice for California, SoftwareONE filed the present case on
18 December 14, 2018, without investigating as promised and taking any action.

19 28. After my termination, I had no reference letter, no logical reason for my demotion
20 from a Global Leader to a mere Sales Specialist during interviews. I struggled to get a job in the
21 same capacity, as I was repeatedly questioned about a non-compete and I had no documentation
22 unless I signed a forced release letter from SoftwareONE. My network of 30 years was cautious to
23 hire me because there were too many questions, which I could not answer without bringing up the
24 harassment case. SoftwareONE gravely impacted my earning abilities, my reputation of 30 years,
25 and my first-rate career.

26 I declare under penalty of perjury under the laws of the State of California that the foregoing
27 is true and correct.
28

Executed this May 26, 2021, at Santa Monica, California.



Plaintiff JANE DOE

Declaration

Exhibit J

Declaration

Exhibit J-1

9:37



Adrian Diaz

adrianzdiaz



Results view. [Go to newest messages](#)

Whhhhat this is seattle

Will has a conference so his company covered a hotel for two nights

Hey.... question for you. Dealing with something w a close friend

.....

If a person is too intoxicated (blacked out) but not passed out...to give consent - that's considered rape right?

If a girl is drunk and can't remember details of an evening... or parts of the night that's blacked out right?



I know just giving you a hard time.

FEB 11, 2020

Replied to your story



Message...



MCNAE 003518

9:37



Adrian Diaz

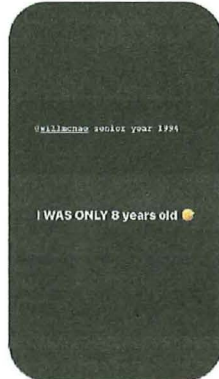
adrianzdiaz



Results view. [Go to newest messages](#)

FEB 11, 2020

Replied to your story



Only you can see this

Hello you are how old?? Did I not know this



FEB 11, 2020

33 lol

So young. My oh my.



**Hey, are you around Thursday!?
Can I bring the kids to the
station?! Uncle Diaz tour**

FEB 12, 2020



Lol. I am in Implicit Bias training



and I totally would give tour



Message...



MCNAE 003519

9:37



Adrian Diaz

adrianzdiaz



Results view. [Go to newest messages](#)

FEB 12, 2020

Lol. I am in Implicit Bias training
😭 or I totally would give tour.
Aren't your kids in school.



They are on midwinter break
starting tomorrow lol

Dude I'm about to bring a whole
class to you! Haha

FEB 23, 2020

Replied to your story



Only you can
see this



Oh that's pretty

FEB 24, 2020



Message...



Popo d!

MCNAE 003520

9:37



Adrian Diaz
adrianzdiaz



Results view. [Go to newest messages](#)

FEB 26, 2020

Popo d!

Question... after a police report is filed for a sexual assault. What happens next?


Would it be possible for my husband and I to meet with you (as a friend in law enforcement)

FEB 26, 2020

Or I come to talk to you!? It was me that was assaulted but it Miami 😞

Just called Miami PD. They said I can file the report through seattle PD. Do you have someone in mind I should talk too?

FEB 26, 2020

Sorry it was a  day and just getting to this. So let me understand you were assaulted in



Message...



MCNAE 003521

9:38



Adrian Diaz

adrianzdiaz



Results view. [Go to newest messages](#)

FEB 26, 2020

Sorry it was a crazy day and just getting to this. So let me understand you were assaulted in Miami and they said to file with Seattle? That doesn't seem write we don't have court jurisdiction or evidence collection would struggle to be used. At best they might say you place of residence but this only works in missing person cases.




Is this a known suspect?

We have a SAU unit but I can maybe have you chat with my Captain. He used to work in SAU. I just want to make sure you have the right information.

I'm so sorry to
Hear about the assault. Was this recently.



Hi! Sorry  I said saying anything to you 🙄 I didn't want to put you in any odd position



Message...



MCNAE 003522

9:38



Adrian Diaz

adrianzdiaz



Results view. [Go to newest messages](#)

Hi! Sorry I debated saying anything to you 🙄 I didn't want to put you in any odd position.

So I called Miami PD and they said I could file a report with my PD and they would send it to Miami PD. Very odd but if that was even possible I would only know/trust asking you about it.

This happened October 2019 in Miami hours before my husbands flight came in.

I attended a dinner/party to help celebrate a friends hard work. This friend is a partner of my husband... from work.

Unfortunately I over drank not even questioning anything. Long story short... I remembered him kissing me and pieces of that happened that night. I wrote a timeline out for my counselor and she said  was sexually assaulted  it needs to be reported



Message...



MCNAE 003523

9:38



Adrian Diaz

adrianzdiaz



Results view. [Go to newest messages](#)

He's currently in town wanting to "talk" and no joke I've debated doing it to record him. 🙄

It's honestly a long story and how I came to my senses to realize what was going on. I pushed everyone in my life away bc I carried so much guilt and shame for not fighting. Through reading/educating myself... he ~~is~~ is mentally ill. Psychotic.... calculated without even trying. I finally broke down and told my sister... she said before I could even get through details... this guy is like fing Ted Bundy

He's actually in town right now wanting to "talk in person" ... I'm keeping the peace and not letting him know I'm looking into this. I'm not sure what he's capable of. He did tell my husband in person yesterday that he's staying away from drinking because he might lose it and take someone's head off or kill



Message...



MCNAE 003524

9:38



Adrian Diaz

adrianzdiaz



Results view. [Go to newest messages](#)

wanting to "talk in person" ... I'm keeping the peace and not letting him know I'm looking into this. I'm not sure what he's capable of. He did tell my husband in person yesterday that he's staying away from drinking because he might lose it and take someone's head off or kill them

I want to be mindful and understand the process once a police report is filed. At what point does he find out? Tons of fear in this area. We are trying to find a lawyer... but trying to keep my sanity calm. My daughter said she feels like I've been locked up in a room for months. 😞 breaking down crying all the time

Interesting. Maybe tomorrow I can see who might be a good contact. I highly doubt we write the report. I think this goes to Kirkland



Because I live in kirkland? Right?

Seen



Message...



MCNAE 003525

9:40



Adrian Diaz

adrianzdiaz



I want to be mindful and understand the process once a police report is filed. At what point does he find out? Tons of fear in this area. We are trying to find a lawyer... but trying to keep my sanity calm. My daughter said she feels like I've been locked up in a room for months. 😞 breaking down crying all the time

Interesting. Maybe tomorrow I can see who might be a good contact. I highly doubt we write the report. I think this goes to Kirkland



Because I live in kirkland? Right?

Do most reports need to be filed in person?

I can totally understand this is so hard when you when you were a victim and the trauma from that

Since they won't be able to do an sex assault kit they still need in person



Message...



MCNAE 003526

9:40



Adrian Diaz

adrianzdiaz



Ugh and with my childhood crap
👧 it's really sending me through
the ringer...



I can look more into tomorrow.

Ok, I'm sorry to throw this on you.
Just been trying to keep my head
above water...I have saved
everything. This man has lied
about everything. From his dad
dying to what he ate for dinner. I
did my own investigating. I had to
figure out if he was incapable of
telling the truth which then made
me realize he lied about the night
in Miami saying I came on to him



It's a mess 👧 and I'm a mess

MAR 13, 2020

Replied to your story

I signed a petition to
close schools for enough
time to give our county
an incubation period... up
to 2 weeks. I didn't
expect 6 and maybe
more weeks.

Just to be clear 🙄



you can
see this



Message...



MCNAE 003527

9:44



Adrian Diaz

adrianzdiaz



MAY 15, 2021

Hey random question... Does the Seattle PD have any type of advocate program when women come in if you have been abused or raped need to write up a report or even go to the hospital to have a rape kit done??

MAY 15, 2021

We have a DV advocate program. Not related to sexual assault but it is a really great program



MAY 15, 2021

I wonder the rates on rape in wa. Under age sex assault is more so my biggest concern. Especially at uw in our backyard

MAY 23, 2021

Wanted to ask a hypothetical question... do people file police reports on large companies for allowing Human Resources to dismiss sexual misconduct ?



Message...



MCNAE 003528

Declaration

Exhibit J-2

PUGLISI CARAMÉS

August 5, 2022

Det. Melanie Ozaeta
Miami Beach PD
melanieozaeta@miamibeachfl.gov

Dear Det. Ozaeta,

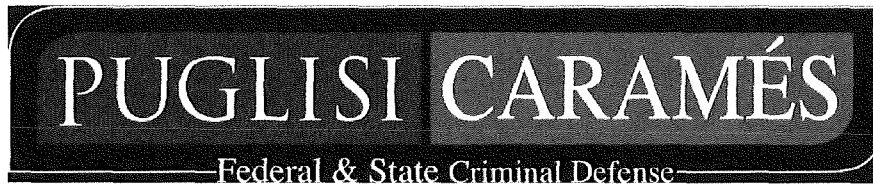
I am contacting you to let you know that I have been retained to represent Mrs. Ronda McNae in her sexual battery investigation. We are available, as always, to assist in whatever you may need. I'm happy to help in whatever way that I can. I would appreciate if you could send me an email with an update of the investigation or if you prefer a phone conversation, I will be available the week of the 15th after I return from vacation. My contact information is below and my cell is (786) 512-4000. Thank you and have a wonderful day.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SPuglisi', with a long horizontal flourish extending to the right.

Sabrina Puglisi

1900 N. Bayshore Drive, Suite 1A
Miami, Florida 33132
Ofc. (305) 403-8063
Sabrina@puglisicarames.com
Dianne@puglisilawcarames.com



September 30, 2022

Det. Melanie Ozaeta
Miami Beach PD
melanieozaeta@miamibeachfl.gov

Dear Det. Ozaeta,

I have compiled documents and thoughts that I would ask you to review prior to your submitting a report to ASA Snyder, if not done so yet. You may have some of these documents already, however in an abundance of caution I am resending. If the document in the zip folder are not received, I've granted you access to the dropbox which contains:

- Attorney Work Product Summary of Evidence
- Attorney Work Product Proof Points and Evidence
- Attorney Work Product History of Abuse Suffered by Ronda
- Potential Expert Witnesses in Civil Case
- Complete Chats between Ronda and Yelany De Varona-raw file
- Excerpts of Chat between Ronda and Yelany
- Chat/texts between Ronda and M.F. (excel raw file and pdf)
- CHIN (Child in Need of Services) Petition filed by Ronda as a minor
- Coercive Control Article Evan Stark

If you are unable to open the documents in either format, please advise and I will send you a USB. I would request the opportunity to meet with you to discuss at your convenience next week. We are now entering October, 2022 and, as you can imagine, Ronda would like to know that the case is moving forward.

My contact information is below and my cell is (786) 512-4000. Thank you and have a wonderful day.

Respectfully submitted,

Sabrina Puglisi
1900 N. Bayshore Drive, Suite 1A
Miami, Florida 33132
Ofc. (305) 403-8063
Sabrina@puglisicarames.com
Dianne@puglisilawcarames.com

MCNAE 004321

ATTORNEY WORK PRODUCT

Evidence in support of Sexual Assault

Ronda met Mike Fitzgerald (MF) in July, 2019. She understood that MF worked with her husband Will McNae in a superior capacity as the owner of a company working with Microsoft where her husband was an employee. In the months following, MF became familiar with Ronda's background of sexual abuse. She opened up to him about the trauma she suffered. The following lies were told by MF in order to create a trauma bond with Ronda:

- MF's father died in July, 2019 (truth is father is alive)
- MF's mother was sick with a prolapsed colon and on the waitlist in the UK for surgery (Yelany DeVarona confirmed this was untrue)
- MF had a son named Euan (MF has no son and the photo he showed of his son was his nephew)
- MF was going through a custody battle in 2019 with his ex-wife who was moving from Australia to Los Angeles (MF has never been married)
- MF's ex-wife left him with a baby to raise alone – then took the child to Australia (no child exists)
- Yelany had a miscarriage (Yelany confirmed this as untrue)
- MF had two brothers (MF has only sisters)
- MF was sexually abused as a child by one of his sisters (the sister he claims abused him is the mother of the nephew he claimed was his son; it is unknown if this was a lie but evidence suggests it is considering all the other lies told)

In October, MF invited the McNae family to celebrate the announcement of the company's IPO. Ronda and her daughter travelled to Miami one day early to spend time together with the plan of her husband and son arriving the next day. The family was sharing the penthouse suite at the W hotel in Miami Beach with MF. Ronda attended a celebration dinner with MF at the request of her husband who was unable to be there until the next day. At that dinner Ronda became intoxicated due to the amount of champagne she drank. As she was leaving the restaurant, MF aggressively kissed her without her consent. Ronda left and was walking around South Beach in an intoxicated state. Eventually MF found her and she returned to the hotel. Because she did not feel safe falling asleep with MF in the same suite, she tried to stay awake until her husband arrived a few hours later. As she was at the rooftop hot tub MF arrived. He gave Ronda a glass with alcohol in it. It is unknown if the glass contained anything other than alcohol. At this time Ronda's memories are fragmented. However, she recalls sexual acts with MF without her participation or consent.

It is important to understand Ronda's history of abuse to know that she is not someone who will fight back when abused, rather she becomes that scared 8 year old who pretends it's not happening. MF, on the other hand, used his position of power and knowledge of her past to convince Ronda that what happened was consensual. Evidence demonstrating non consensual behavior (bruise on MF's bicep, Ronda's extreme withdrawal the next day, MF's text message to Yelany admitting that he didn't have control of himself and he was in rampage mode).

Two weeks after Miami sexual battery, Ronda agreed to meet with MF in San Francisco to discuss what occurred in Miami.

During this trip, Ronda had non-consensual sexual intercourse with MF. First, MF threatened Ronda by stating, *"You can't say anything to anyone. Will would be let go from Microsoft", "the Executive team would rally around me to protect me"*. For Ronda, these threats were similar to what her step-father did to her when she was a child. The childhood threats led her to a learned behavior where she becomes compliant and doesn't fight back despite her saying no and not wanting to participate in the sexual acts. This same thing happened to Ronda in San Francisco with MF. During all of this time, Ronda as a victim, believed that what happened was a consensual relationship. In December, 2019 Ronda attended a self-help program. It was in speaking with the counselors there that Ronda was able to identify that what happened was not consensual. In the following months Ronda reached out to Yelany and learned that much of what MF told her were lies.

Declaration

Exhibit J-3

3/14/23, 11:20 AM

Gmail - Re: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda McNae

1 message

Sabrina Puglisi <puglisilawfirm@gmail.com>

Wed, Oct 5, 2022 at 2:11 PM

Reply-To: Sabrina@puglisicarames.com

To: "Ozaeta, Melanie" <MelanieOzaeta@miamibeachfl.gov>

Ok thank you. I completely understand. I just wanted to make sure it didn't slip through the cracks. Knowing people affected by storm I appreciate your service and your departments for helping out.

On Wed, Oct 5, 2022 at 2:08 PM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Ms. Puglisi,

Good afternoon, I received your email. Please understand due to the hurricane and our department being deployed to assist those that were affected, I have not had a chance to review the file that you sent me. We are all working extra hours to coverage the shortages that the deployment created.

I will take a look at the file you sent when I have a chance.

On Oct 5, 2022, at 12:40, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Detective, can you please confirm you received what I sent you on Friday. I would appreciate a response.

On Fri, Sep 30, 2022 at 6:05 PM Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

Good evening Detective, attached please find a letter and documents pertaining to Ronda's investigation that we ask you to review. I would like to also schedule a time next week to meet with you to discuss the case. Please advise when is convenient for you. Thank you and have a good evening.

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com

MCNAE 004322

3/14/23, 11:20 AM

Gmail - Re: Ronda McNae

www.puglisilaw.com

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

MCNAE 004323

3/14/23, 11:22 AM

Gmail - Re: Ronda Mcnae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda Mcnae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>

Wed, Nov 2, 2022 at 11:08 AM

To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Good morning, I am in the process of reviewing all the material you sent in the file. I am comparing the evidence I have to see if there's anything new I can use towards the criminal case.

Although it can be useful in your civil case, I have most of what you sent me already. I will keep you updated.

Thank you,
Sergeant Ozaeta

On Nov 2, 2022, at 10:54, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good morning detective, can you please give me an update on this case as we are now starting November?

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

3/14/23, 11:21 AM

Gmail - Ronda Mcnae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Ronda Mcnae

1 message

Sabrina Puglisi <puglisilawfirm@gmail.com>

Wed, Nov 2, 2022 at 10:53 AM

Reply-To: Sabrina@puglisicarames.com

To: "Ozaeta, Melanie" <melanieozaeta@miamibeachfl.gov>

Good morning detective, can you please give me an update on this case as we are now starting November?

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

MCNAE 004325

14/23, 11:23 AM

Gmail - Re: Ronda Mcnae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda Mcnae

1 message

Sabrina Puglisi <puglisilawfirm@gmail.com>

Tue, Nov 29, 2022 at 3:20 PM

Reply-To: Sabrina@puglisicarames.com

To: "Ozaeta, Melanie" <MelanieOzaeta@miamibeachfl.gov>

Cc: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Good afternoon Sergeant, I just wanted to check in. It's been over a month since I last heard from you and we are coming up to the end of the year. When will this be submitted to Natalie? I know she's been busy in trials as I have another case with her, but I was hoping that she would have something by end of the year.

On Wed, Nov 2, 2022 at 11:09 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good morning, I am in the process of reviewing all the material you sent in the file. I am comparing the evidence I have to see if there's anything new I can use towards the criminal case.

Although it can be useful in your civil case, I have most of what you sent me already. I will keep you updated.

Thank you,
Sergeant Ozaeta

On Nov 2, 2022, at 10:54, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good morning detective, can you please give me an update on this case as we are now starting November?

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

MCNAE 004326

3/14/23, 11:24 AM

Gmail - Re: Ronda Mcnae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda Mcnae

1 message

Sabrina Puglisi <puglisilawfirm@gmail.com>

Tue, Dec 13, 2022 at 9:45 AM

Reply-To: Sabrina@puglisicarames.com

To: "Ozaeta, Melanie" <MelanieOzaeta@miamibeachfl.gov>

Cc: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Are you still working this case? I haven't heard anything back from you. I would like to schedule a call. Ronda is experiencing extreme anxiety attacks and she needs closure one way or another. Please let me know what day and time are good for you to have a call.

On Tue, Nov 29, 2022 at 3:20 PM Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

Good afternoon Sergeant, I just wanted to check in. It's been over a month since I last heard from you and we are coming up to the end of the year. When will this be submitted to Natalie? I know she's been busy in trials as I have another case with her, but I was hoping that she would have something by end of the year.

On Wed, Nov 2, 2022 at 11:09 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good morning, I am in the process of reviewing all the material you sent in the file. I am comparing the evidence I have to see if there's anything new I can use towards the criminal case.

Although it can be useful in your civil case, I have most of what you sent me already. I will keep you updated.

Thank you,
Sergeant Ozaeta

On Nov 2, 2022, at 10:54, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good morning detective, can you please give me an update on this case as we are now starting November?

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132

MCNAE 004327

3/14/23, 11:24 AM

Gmail - Re: Ronda Mcnae

Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--
Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

3/14/23, 11:24 AM

Gmail - RE: Ronda Mcnae



Sabrina Puglisi <puglisilawfirm@gmail.com>

RE: Ronda Mcnae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Tue, Jan 3, 2023 at 5:57 AM

Good Morning Ms. Puglisi,

My apologies for the late response. I hope you had a good holiday and a happy New Year. I was out for several weeks in December, but I plan to meet with Ms. Synder to review Ms. McNae's case. I am sorry to hear she is experiencing extreme anxiety regarding the case; completely understandable. Once I talk to Ms. Synder, I will update you and Ms. McNae.

Respectfully,

Sergeant Ozaeta

From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Tuesday, December 13, 2022 9:45 AM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Cc: Sabrina@puglisicarames.com
Subject: Re: Ronda Mcnae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Are you still working this case? I haven't heard anything back from you. I would like to schedule a call. Ronda is experiencing extreme anxiety attacks and she needs closure one way or another. Please let me know what day and time are good for you to have a call.

On Tue, Nov 29, 2022 at 3:20 PM Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

Good afternoon Sergeant, I just wanted to check in. It's been over a month since I last heard from you and we are coming up to the end of the year. When will this be submitted to Natalie? I know she's been busy in trials as I have another case with her, but I was hoping that she would have something by end of the year.

On Wed, Nov 2, 2022 at 11:09 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good morning, I am in the process of reviewing all the material you sent in the file. I am comparing the evidence I have to see if there's anything new I can use towards the criminal case.

Although it can be useful in your civil case, I have most of what you sent me already. I will keep you updated.

Thank you,

MCNAE 004329

3/14/23, 11:24 AM

Gmail - RE: Ronda Mcnae

Sergeant Ozaeta

On Nov 2, 2022, at 10:54, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good morning detective, can you please give me an update on this case as we are now starting November?

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

--

MCNAE 004330

3/14/23, 11:24 AM

Gmail - RE: Ronda Mcnae

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

MCNAE 004331

3/14/23, 11:26 AM

Gmail - Fwd: CASE UPDATE



Sabrina Puglisi <puglisilawfirm@gmail.com>

Fwd: CASE UPDATE

1 message

Ronda McNae <rondamcnae@gmail.com>

Mon, Feb 6, 2023 at 5:38 PM

To: Alaina Fotiu-Wojtowicz <alaina@bfwlegal.com>, "Casey, Stephanie" <scasey@colson.com>, Will McNae <willmcnae@gmail.com>, "Sabrina@puglisicarames.com" <sabrina@puglisicarames.com>, Heather Shatzel <heather@bfwlegal.com>

From: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>

Sent: Monday, February 6, 2023 1:22 PM

To: Ronda McNae <rondamcnae@gmail.com>

Subject: Re: CASE UPDATE

Hello Ronda, I am out on bereavement , my husbands dad passed away so I'll be out of town this week. I'll call you once I am back in town and in shift.

On Feb 6, 2023, at 15:08, Ronda McNae <rondamcnae@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Hi, I hope you're ok? If you e been ill or something catastrophic happened Lord forgive me for pressing this.

We hired Sabrina (attourney) to help oversee this on the criminal end. She made quite a few attempts. Since there was no response to Will, I was making my last ditch effort before I go up the chain of command which was suggested to me today.

I understand your agency is overwhelmed as well as the court system. It's been 620 days since I reported to Miami Beach Police & roughly 371 days since you intently begun your investigation. I am begging for some update or what's next? You have stated you need to review with ASA Natalie Snyder since on or about summer time of 2022.

Again, I sure hope you're not ill and that's why we haven't heard a peep. Please make some form of contact with Will, myself, or Sabrina.

-Ronda Mcnae

3/14/23, 11:26 AM

Gmail - Re: Ronda Mcnae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda Mcnae

1 message

Sabrina Puglisi <puglisilawfirm@gmail.com>

Tue, Feb 14, 2023 at 5:02 PM

Reply-To: Sabrina@puglisicarames.com

To: "Ozaeta, Melanie" <melanieozaeta@miamibeachfl.gov>

Cc: Ronda McNae <rondamcnae@gmail.com>, "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>, Will McNae <willmcnae@gmail.com>

Good afternoon Det Ozaeta. First let me give my condolences for the death of your father in law. I understand that it happened recently. I am reaching out to schedule an appointment for us to meet when Rhonda and Will are in town. Can you please tell me what days and times you are available to meet with us the week of February 27?

On Tue, Jan 3, 2023 at 5:57 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good Morning Ms. Puglisi,

My apologies for the late response. I hope you had a good holiday and a happy New Year. I was out for several weeks in December, but I plan to meet with Ms. Synder to review Ms. McNae's case. I am sorry to hear she is experiencing extreme anxiety regarding the case; completely understandable. Once I talk to Ms. Synder, I will update you and Ms. McNae.

Respectfully,

Sergeant Ozaeta

From: Sabrina Puglisi <puglisilawfirm@gmail.com>

Sent: Tuesday, December 13, 2022 9:45 AM

To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>

Cc: Sabrina@puglisicarames.com

Subject: Re: Ronda Mcnae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Are you still working this case? I haven't heard anything back from you. I would like to schedule a call. Ronda is experiencing extreme anxiety attacks and she needs closure one way or another. Please let me know what day and time are good for you to have a call.

On Tue, Nov 29, 2022 at 3:20 PM Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

Good afternoon Sergeant, I just wanted to check in. It's been over a month since I last heard from you and we are coming up to the end of the year. When will this be submitted to Natalie? I know she's been busy in trials as I have another case with her, but I was hoping that she would have something by end of the year.

On Wed, Nov 2, 2022 at 11:09 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

MCNAE 004333

3/14/23, 11:26 AM

Gmail - Re: Ronda Mcnae

Good morning, I am in the process of reviewing all the material you sent in the file. I am comparing the evidence I have to see if there's anything new I can use towards the criminal case.

Although it can be useful in your civil case, I have most of what you sent me already. I will keep you updated.

Thank you,

Sergeant Ozaeta

On Nov 2, 2022, at 10:54, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good morning detective, can you please give me an update on this case as we are now starting November?

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

MCNAE 004334

3/14/23, 11:26 AM

Gmail - Re: Ronda Mcnae

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

MCNAE 004335

3/14/23, 11:27 AM

Gmail - RE: Ronda Mcnae



Sabrina Puglisi <puglisilawfirm@gmail.com>

RE: Ronda Mcnae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Thu, Feb 16, 2023 at 12:27 AM

Good evening Ms. Puglisi,

Thank you for your condolences; it has been a very rough couple of weeks dealing with the death of my father-in-law. Since my schedule has changed, I will need a few days to coordinate the meeting with Sergeant Ramos. I will let you know once I speak with him.

Respectfully,

Sergeant M. Ozaeta

From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Tuesday, February 14, 2023 5:03 PM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Cc: Ronda McNae <rondamcnae@gmail.com>; Sabrina@puglisicarames.com; Will McNae <willmcnae@gmail.com>
Subject: Re: Ronda Mcnae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL. - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good afternoon Det Ozaeta. First let me give my condolences for the death of your father in law. I understand that it happened recently. I am reaching out to schedule an appointment for us to meet when Rhonda and Will are in town. Can you please tell me what days and times you are available to meet with us the week of February 27?

On Tue, Jan 3, 2023 at 5:57 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good Morning Ms. Puglisi,

My apologies for the late response. I hope you had a good holiday and a happy New Year. I was out for several weeks in December, but I plan to meet with Ms. Synder to review Ms. McNae's case. I am sorry to hear she is experiencing extreme anxiety regarding the case; completely understandable. Once I talk to Ms. Synder, I will update you and Ms. McNae.

Respectfully,

Sergeant Ozaeta

MCNAE 004336

3/14/23, 11:27 AM

Gmail - RE: Ronda Mcnae

From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Tuesday, December 13, 2022 9:45 AM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Cc: Sabrina@puglisicarames.com
Subject: Re: Ronda Mcnae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Are you still working this case? I haven't heard anything back from you. I would like to schedule a call. Ronda is experiencing extreme anxiety attacks and she needs closure one way or another. Please let me know what day and time are good for you to have a call.

On Tue, Nov 29, 2022 at 3:20 PM Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

Good afternoon Sergeant, I just wanted to check in. It's been over a month since I last heard from you and we are coming up to the end of the year. When will this be submitted to Natalie? I know she's been busy in trials as I have another case with her, but I was hoping that she would have something by end of the year.

On Wed, Nov 2, 2022 at 11:09 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good morning, I am in the process of reviewing all the material you sent in the file. I am comparing the evidence I have to see if there's anything new I can use towards the criminal case.

Although it can be useful in your civil case, I have most of what you sent me already. I will keep you updated.

Thank you,

Sergeant Ozaeta

On Nov 2, 2022, at 10:54, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good morning detective, can you please give me an update on this case as we are now starting November?

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

MCNAE 004337

3/14/23, 11:27 AM

Gmail - RE: Ronda Mcnae

Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132

MCNAE 004338

3/14/23, 11:27 AM

Gmail - RE: Ronda Mcnae

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

MCNAE 004339

3/14/23, 11:27 AM

Gmail - meeting



Sabrina Puglisi <puglisilawfirm@gmail.com>

meeting

1 message

Sabrina Puglisi <puglisilawfirm@gmail.com>

Sun, Feb 26, 2023 at 6:36 PM

Reply-To: Sabrina@puglisicarames.com

To: "Ozaeta, Melanie" <melanieozaeta@miamibeachfl.gov>

Cc: Ronda McNae <rondamcnae@gmail.com>, Will McNae <willmcnae@gmail.com>

Hello, we haven't heard back from you. Please let us know when you are available to meet with Ronda and Will while they are in town this week. If you are unavailable, we are happy to meet with a supervisor to get an update. Thank you.

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

MCNAE 004340

3/14/23, 11:28 AM

Gmail - Rape Case



Sabrina Puglisi <puglisi@lawfirm@gmail.com>

Rape Case

1 message

Ronda McNae <rondamcnae@gmail.com>

Sun, Feb 26, 2023 at 7:16 PM

To: Will McNae <willmcnae@gmail.com>, "Sabrina@puglisicarames.com" <sabrina@puglisicarames.com>, richardclements@miamibeachfl.gov, paulacosta@miamibeachfl.gov, waynejones@miamibeachfl.gov, "Ozaeta, Melanie" <MelanieOzaeta@miamibeachfl.gov>

Our family swung by the Miami Beach Police Station on Friday February 24th roughly around 1:20PM to bring flowers and a card to express our condolences. I hope it made its way to you. Another fellow Officer shared your new schedule change which explains the challenge to line schedules up. I imagine being on the graveyard shift pulls you away from office work since it seems like this city needs all hands on deck.

I last heard from you on February 16th and based on reading through our past correspondence, I clearly communicated my entire family will be in town due to this rape case I had reported back in May 2021.

If you're unable to give my case the time and attention, is there someone else you can hand this off too? I've come to the point where I'm left to go up the chain of command and connect with ASA Snyder. Back when I spoke to you in person in January 2022, I felt that your mind was already made up of what you believe happened. Will was the one to point this out. While you may believe many women file false police reports, this isn't the norm. No survivor would have the endurance to fight this hard for this long for accountability and criminal charges.

At this point I will include the Chief of Police on this thread. That has been suggested to me. I can't keep going round and round.

Please make yourself available. I am in town with both of my kids and I do not want them to continue to witness the hoops I have to continue to jump through with law enforcement. Situations like this cause distrust in law enforcement and I do not want my children thinking the very people who protect us don't desire to help us get justice. Recall another Officer Rodriguez with Miami Police (30 year Veteran) telling Will "Go pay this man a visit, there's more dead bodies in Key Biscayne Bay than the cemetery" perhaps that was connected to his opinion that Acquaintance Rapes are rarely prosecuted here in Miami, FL.

-Ronda McNae

MCNAE 004341

3/14/23, 11:32 AM

Gmail - Re: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda McNae

1 message

Ronda McNae <rondamcnae@gmail.com>

Tue, Feb 28, 2023 at 1:07 PM

To: "Ramos, Osvaldo" <OsvaldoRamos@miamibeachfl.gov>, Will McNae <willmcnae@gmail.com>,

"Sabrina@puglisicarames.com" <sabrina@puglisicarames.com>

Cc: "Payne, Thomas" <ThomasPayne@miamibeachfl.gov>, "Robinson, Ian" <IanRobinson@miamibeachfl.gov>, "Doce, Enrique" <EnriqueDoce@miamibeachfl.gov>, "Clements, Rick" <RickClements@miamibeachfl.gov>, "Ozaeta, Melanie" <MelanieOzaeta@miamibeachfl.gov>, "Rodriguez, Ernesto" <ErnestoRodriguez@miamibeachfl.gov>, "Han, Daniel" <DanielHan@miamibeachfl.gov>

Received, thank you 🙏

From: Ramos, Osvaldo <OsvaldoRamos@miamibeachfl.gov>

Sent: Tuesday, February 28, 2023 11:08:18 AM

To: Ronda McNae <rondamcnae@gmail.com>; Will McNae <willmcnae@gmail.com>;

Sabrina@puglisicarames.com <sabrina@puglisicarames.com>

Cc: Payne, Thomas <ThomasPayne@miamibeachfl.gov>; Robinson, Ian <IanRobinson@miamibeachfl.gov>; Doce, Enrique <EnriqueDoce@miamibeachfl.gov>; Clements, Rick <RickClements@miamibeachfl.gov>; Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>; Rodriguez, Ernesto <ErnestoRodriguez@miamibeachfl.gov>; Han, Daniel <DanielHan@miamibeachfl.gov>

Subject: RE: Ronda McNae

Good morning Ms. McNae,

I apologize for not being able to meet with you yesterday. The Sexual Battery Unit was involved in an investigation, and we were serving search warrants. I have read your emails and Ms. Puglisi's email, Detective Ozaeta has briefed me on the progress of the investigation, and I have reviewed all the documents you sent me. I have scheduled a call with Ms. Puglisi this afternoon to discuss the status of the investigation. I can assure you the work Detective Ozaeta has done on this investigation has been exhaustive, deliberate, and meticulous. Your fervor and persistence have been noted. Your allegations against Michael Fitzgerald are complex. The allegations are not one of a conventional sexual battery. You allege a pattern of behavior by Fitzgerald of manipulation and other actions, which leads to the series of incidents you described in much detail. That is not lost in Detective Ozaeta's pursuit of the facts. She has been working with the State Attorney's Office; I have attended many meetings where we collaboratively discussed all the facts discovered in this case and new avenues to evaluate while balancing resources for other cases.

It has been a long and challenging road for not only you but also for the investigator. In deciding how to proceed, there are many factors to consider. Some of those factors you have brought to our attention, and many others, have been discovered through the course of the investigation. Still, only those within the parameters outlined in Florida State Statutes and applicable case law can be applied to the articulation of Probable Cause. The State's burden is even higher; for a prosecutor to file charges, they must articulate, in good faith, the ability to prove the case Beyond a Reasonable Doubt. Detective Ozaeta has finally reached the juncture in this investigation, where we will have one final meeting with the prosecutor. During this meeting, we will present the entire package, including all interviews, text messages, all documents and information you have provided, all communications obtained, the final investigatory report, etc. Although not scheduled yet, this meeting should happen in approximately two weeks. It is also unknown if a final decision will be made during this meeting; as I previously mentioned, many factors exist.

I do understand your frustration. We are working to reach a resolution on this case sooner rather than later. Unfortunately, time does not permit me to meet with you, but I will keep you and Ms. Puglisi abreast of the situation moving forward. I hope this email provides some semblance of your case's difficulties. I can only hope you reach the point real soon where you can put all this tragedy and hardship behind you.

MCNAE 004342

3/14/23, 11:32 AM

Gmail - Re: Ronda McNae

Kind Regards,

Ozzy Ramos



Ozzy Ramos, Master Sergeant

Miami Beach Police Department

Criminal Investigation Division

Sexual Battery & Cold Case Homicide Squads

1100 Washington Avenue, Miami Beach, Florida 33139

Tel: 305-218-7226 / Ofc: 305-673-7945 ext. 25078

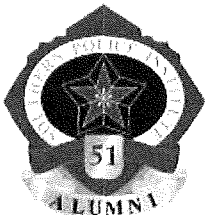
osvaldoramos@miamibeachfl.gov

Mission: Address Crime and Community Concerns

Vision: A safe and welcoming environment for everyone

Values: Honorable, Professional, Resilient

Our Daily Goals: Use innovative approaches to address crime, maintain and enhance a professional and well-trained workforce, enhance the public's perception of the Miami Beach Police Department



CONFIDENTIALITY NOTICE: This message and any attachments are for the sole use of the intended recipient(s) and may contain confidential and privileged information that may be exempt from public

MCNAE 004343

3/14/23, 11:32 AM

Gmail - Re: Ronda McNae

disclosures. Any unauthorized review, use, disclosure, or distribution is prohibited. If you received this message in error; please contact the sender (via email, fax, or phone) and then destroy all copies of the original message.

From: Ronda McNae <rondamcnae@gmail.com>
Sent: Monday, February 27, 2023 10:54 PM
To: Ramos, Osvaldo <OsvaldoRamos@miamibeachfl.gov>; Will McNae <willmcnae@gmail.com>; Sabrina@puglisicarames.com
Subject: Fwd: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Sgt. Ramos,

Thankful we have been connected with you directly. It's been a long road since reporting this crime to MBPD back in May 2021. At the end of 2021 I discovered my case had been labeled "information only" which Sgt. Payne thankfully, understood the gravity and trauma of my case although complex.

Since initially meeting with you and Det. O, it has been a brutal journey of constant gaslighting and victim shaming which only further traumatizes a survivor of rape. It took 5-6 months of actively pressuring Det. O to finally do a phone dump which she later called my husband to let him know my correspondence was inappropriate. Speaking up and holding a detective accountable to investigate was inappropriate even stating that her supervisor (YOU) was also in agreement which I questioned the validity since I already caught her in a lie, well a couple. Sadly due to Det. O, she tainted any investigation in SF which I have evidence of this in my discovery of the civil case I now face for speaking up and reporting.

I worry about how many DV victims and rape survivors had similar experience. That's extremely heartbreaking. No survivor should have to go these lengths for criminal charges to be filed. The Officers at Internal affairs did let me know something seems off with my case and how Det. O handled it. This can be addressed later but my focus NOW is criminal charges. The perpetrator is now suing me in Civil Court since the department hasn't made an arrest or filed criminal charges, so he believes no crime occurred, he's innocent, and saying I've falsely accused him of a crime. I am

MCNAE 004344

3/14/23, 11:32 AM

Gmail - Re: Ronda McNae

well aware of legal consequences for false reporting but I can't imagine any woman going through this hell for fun.

Realizing I would likely be before a judge do to breaching an NDA before I'm before a judge to testify against a foreigner seems absurd.

Michael Fitzgerald has since been let go from his job due to this case and had to go back to the UK. Michael Fitzgerald will be in a deposition this Friday for 7 hours at my attorneys' office.

His wife submitted an affidavit back in May 2022 that was demonstratively false and we can prove that with upwards of 4,000 text messages which I don't believe Det. O ever looked through. Yelany De Verona has lied under oath to cover a rape and prevent law enforcement for further investigating. I actually question if she knew what she was signing and if she authored her affidavit then again, my silence meant Michael Fitzgerald recieved 4 million dollars (uncovered through discovery) yet he refuses to hand over and prodcue needed documents to support the damages I've done to him. He hides behind the laws in the UK refusing to disclose his employee file which we all beleive there's something he's hiding; past behaviors that only support my belief that he is a sexual predator.

We have proof that I texted a Homicide Detective in Feb. 2020 with details of what happened to me and asked how to report? This was a pretty big detail Det. O overlooked while she blamed me for not reporting sooner time and time again.

I will include two attachments that my legal representation supplied Det. O with. We have a total of three lawyers. A PTSD trauma counselor, my primary care physician, and my ongoing counselor since Feb. 2020 when I named the rape. They were never contacted during this investigation. I would like to connect with you in person ASAP but I cannot continue to be traumatized by the very people I'm supposed to report to for such crimes. This has been exhausting and beyond demoralizing. I'm in a city due to the civil case and I don't feel safe being here with my family.

There should be more than enough evidence to convince a Judge that a probable cause exists for an arrest.

Please let me know next steps. I'm here till Sunday evening. If I need to extend my time to button things up, I will absolutely stay longer, thats how important this case is to my family.

God bless you,
Ronda McNae
(206) 914-6752

MCNAE 004345

3/14/23, 11:33 AM

Gmail - Re: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda McNae

1 message

Ronda McNae <rondamcnae@gmail.com>

Thu, Mar 2, 2023 at 9:18 AM

To: "Ramos, Osvaldo" <OsvaldoRamos@miamibeachfl.gov>, Will McNae <willmcnae@gmail.com>, "Sabrina@puglisicarames.com" <sabrina@puglisicarames.com>

Cc: "Payne, Thomas" <ThomasPayne@miamibeachfl.gov>, "Robinson, Ian" <IanRobinson@miamibeachfl.gov>, "Doce, Enrique" <EnriqueDoce@miamibeachfl.gov>, "Clements, Rick" <RickClements@miamibeachfl.gov>, "Ozaeta, Melanie" <MelanieOzaeta@miamibeachfl.gov>, "Rodriguez, Ernesto" <ErnestoRodriguez@miamibeachfl.gov>, "Han, Daniel" <DanielHan@miamibeachfl.gov>

Good morning,

Wanted to provide more supporting evidence. This may be more important for ASA Snyder but figured I'd get it to you regardless.

Through the subpoena process in the civil discovery, these documents have been produced. I have sent some to Det. O but not all.

1) 3 years of counseling notes produced by my Counselor; Sarah Dellinger. I named rape Feb. 2020

2) November 6th Emergency Room visit where DR notes I had complained about abdominal pain and pain in the pelvis dating back to the initial rape in Miami. In the subsequent rape November 3rd in SF, Ecoli traces had been present due to forced sodomy. I don't engage in these acts willingly due to a prior hemorrhoidectomy leaving me with 6 inches of scar tissue from internal stitches.

3) Text messages to Detective Ridge from Miami Police Department. Det. Ridge had been long time friends with my older sister; Sirena Herd who lived in Miami post deployment to finish her college degree. I named rape in the text messages Feb. 22nd 2020.

I understand the delay in naming rape however the percentage of rapes that go unacknowledged by victims is quite high. I actually named it faster than most victims of acquaintance rape where a coercion, deception, and a power differential exists. The perp threatened my husband would lose his job if I spoke up about either rape. More than 70% of rape victims know their attacker. While the agency may find it challenging to prove consent, I'm left to question how marital rape is handled since it was recently criminalized in the 1990's. Spousal rape is quite common and consent seems almost impossible to prove. Acquaintance rape seems quite similar and far more prevalent than past rape cases involving stranger rape.

Link Below for other supporting evidence.

<https://www.dropbox.com/sh/yg1jak8eheik4ma/AADpfK929EkyDfTvWrOnfCPga?dl=0>

Thank you,

Ronda McNae

From: Ronda McNae <rondamcnae@gmail.com>

Sent: Tuesday, February 28, 2023 1:07:05 PM

To: Ramos, Osvaldo <OsvaldoRamos@miamibeachfl.gov>; Will McNae <willmcnae@gmail.com>;

MCNAE 004346

3/14/23, 11:33 AM

Gmail - Re: Ronda McNae

Sabrina@puglisicarames.com <sabrina@puglisicarames.com>

Cc: Payne, Thomas <ThomasPayne@miamibeachfl.gov>; Robinson, Ian <IanRobinson@miamibeachfl.gov>; Doce, Enrique <EnriqueDoce@miamibeachfl.gov>; Clements, Rick <RickClements@miamibeachfl.gov>; Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>; Rodriguez, Ernesto <ErnestoRodriguez@miamibeachfl.gov>; Han, Daniel <DanielHan@miamibeachfl.gov>

Subject: Re: Ronda McNae

Received, thank you 🙏

From: Ramos, Osvaldo <OsvaldoRamos@miamibeachfl.gov>

Sent: Tuesday, February 28, 2023 11:08:18 AM

To: Ronda McNae <rondamcnae@gmail.com>; Will McNae <willmcnae@gmail.com>; Sabrina@puglisicarames.com <sabrina@puglisicarames.com>

Cc: Payne, Thomas <ThomasPayne@miamibeachfl.gov>; Robinson, Ian <IanRobinson@miamibeachfl.gov>; Doce, Enrique <EnriqueDoce@miamibeachfl.gov>; Clements, Rick <RickClements@miamibeachfl.gov>; Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>; Rodriguez, Ernesto <ErnestoRodriguez@miamibeachfl.gov>; Han, Daniel <DanielHan@miamibeachfl.gov>

Subject: RE: Ronda McNae

Good morning Ms. McNae,

I apologize for not being able to meet with you yesterday. The Sexual Battery Unit was involved in an investigation, and we were serving search warrants. I have read your emails and Ms. Puglisi's email, Detective Ozaeta has briefed me on the progress of the investigation, and I have reviewed all the documents you sent me. I have scheduled a call with Ms. Puglisi this afternoon to discuss the status of the investigation. I can assure you the work Detective Ozaeta has done on this investigation has been exhaustive, deliberate, and meticulous. Your fervor and persistence have been noted. Your allegations against Michael Fitzgerald are complex. The allegations are not one of a conventional sexual battery. You allege a pattern of behavior by Fitzgerald of manipulation and other actions, which leads to the series of incidents you described in much detail. That is not lost in Detective Ozaeta's pursuit of the facts. She has been working with the State Attorney's Office; I have attended many meetings where we collaboratively discussed all the facts discovered in this case and new avenues to evaluate while balancing resources for other cases.

It has been a long and challenging road for not only you but also for the investigator. In deciding how to proceed, there are many factors to consider. Some of those factors you have brought to our attention, and many others, have been discovered through the course of the investigation. Still, only those within the parameters outlined in Florida State Statutes and applicable case law can be applied to the articulation of Probable Cause. The State's burden is even higher; for a prosecutor to file charges, they must articulate, in good faith, the ability to prove the case Beyond a Reasonable Doubt. Detective Ozaeta has finally reached the juncture in this investigation, where we will have one final meeting with the prosecutor. During this meeting, we will present the entire package, including all interviews, text messages, all documents and information you have provided, all communications obtained, the final investigatory report, etc. Although not scheduled yet, this meeting should happen in approximately two weeks. It is also unknown if a final decision will be made during this meeting; as I previously mentioned, many factors exist.

I do understand your frustration. We are working to reach a resolution on this case sooner rather than later. Unfortunately, time does not permit me to meet with you, but I will keep you and Ms. Puglisi abreast of the situation moving forward. I hope this email provides some semblance of your case's difficulties. I can only hope you reach the point real soon where you can put all this tragedy and hardship behind you.

Kind Regards,

Ozzy Ramos

MCNAE 004347

3/14/23, 11:33 AM

Gmail - Re: Ronda McNae



Ozzy Ramos, Master Sergeant

Miami Beach Police Department

Criminal Investigation Division

Sexual Battery & Cold Case Homicide Squads

1100 Washington Avenue, Miami Beach, Florida 33139

Tel: 305-218-7226 / Ofc: 305-673-7945 ext. 25078

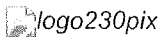
osvaldoramoss@miamibeachfl.gov

Mission: *Address Crime and Community Concerns*

Vision: *A safe and welcoming environment for everyone*

Values: *Honorable, Professional, Resilient*

Our Daily Goals: *Use innovative approaches to address crime, maintain and enhance a professional and well-trained workforce, enhance the public's perception of the Miami Beach Police Department*



CONFIDENTIALITY NOTICE: *This message and any attachments are for the sole use of the intended recipient(s) and may contain confidential and privileged information that may be exempt from public disclosures. Any unauthorized review, use, disclosure, or distribution is prohibited. If you received this message in error, please contact the sender (via email, fax, or phone) and then destroy all copies of the original message.*

MCNAE 004348

3/14/23, 11:33 AM

Gmail - Re: Ronda McNae

From: Ronda McNae <rondamcnae@gmail.com>
Sent: Monday, February 27, 2023 10:54 PM
To: Ramos, Osvaldo <OsvaldoRamos@miamibeachfl.gov>; Will McNae <willmcnae@gmail.com>; Sabrina@puglisicarames.com
Subject: Fwd: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Sgt. Ramos,

Thankful we have been connected with you directly. It's been a long road since reporting this crime to MBPD back in May 2021. At the end of 2021 I discovered my case had been labeled "information only" which Sgt. Payne thankfully, understood the gravity and trauma of my case although complex.

Since initially meeting with you and Det. O, it has been a brutal journey of constant gaslighting and victim shaming which only further traumatizes a survivor of rape. It took 5-6 months of actively pressuring Det. O to finally do a phone dump which she later called my husband to let him know my correspondence was inappropriate. Speaking up and holding a detective accountable to investigate was inappropriate even stating that her supervisor (YOU) was also in agreement which I questioned the validity since I already caught her in a lie, well a couple. Sadly due to Det. O, she tainted any investigation in SF which I have evidence of this in my discovery of the civil case I now face for speaking up and reporting.

I worry about how many DV victims and rape survivors had similar experience. That's extremely heartbreaking. No survivor should have to go these lengths for criminal charges to be filed. The Officers at Internal affairs did let me know something seems off with my case and how Det. O handled it. This can be addressed later but my focus NOW is criminal charges. The perpetrator is now suing me in Civil Court since the department hasn't made an arrest or filed criminal charges, so he believes no crime occurred, he's innocent, and saying I've falsely accused him of a crime. I am well aware of legal consequences for false reporting but I can't imagine any woman going through this hell for fun.

Realizing I would likely be before a judge do to breaching an NDA before I'm before a judge to testify against a foreigner seems absurd.

Michael Fitzgerald has since been let go from his job due to this case and had to go back to the UK. Michael Fitzgerald will be in a deposition this Friday for 7 hours at my attorneys' office.

MCNAE 004349

3/14/23, 11:33 AM

Gmail - Re: Ronda McNae

His wife submitted an affidavit back in May 2022 that was demonstratively false and we can prove that with upwards of 4,000 text messages which I don't believe Det. O ever looked through. Yelany De Verona has lied under oath to cover a rape and prevent law enforcement for further investigating. I actually question if she knew what she was signing and if she authored her affidavit then again, my silence meant Michael Fitzgerald recieved 4 million dollars (uncovered through discovery) yet he refuses to hand over and prodcue needed documents to support the damages I've done to him. He hides behind the laws in the UK refusing to disclose his employee file which we all beleive there's something he's hiding; past behaviors that only support my belief that he is a sexual predator.

We have proof that I texted a Homicide Detective in Feb. 2020 with details of what happened to me and asked how to report? This was a pretty big detail Det. O overlooked while she blamed me for not reporting sooner time and time again.

I will include two attachments that my legal representation supplied Det. O with. We have a total of three lawyers. A PTSD trauma counselor, my primary care physician, and my ongoing counselor since Feb. 2020 when I named the rape. They were never contacted during this investigation. I would like to connect with you in person ASAP but I cannot continue to be traumatized by the very people I'm supposed to report to for such crimes. This has been exhausting and beyond demoralizing. I'm in a city due to the civil case and I don't feel safe being here with my family.

There should be more than enough evidence to convince a Judge that a probable cause exists for an arrest.

Please let me know next steps. I'm here till Sunday evening. If I need to extend my time to button things up, I will absolutely stay longer, thats how important this case is to my family.

God bless you,

Ronda McNae

(206) 914-6752

2 attachments



MIAMI BEACH

image001.png
9K



image002.png
19K

MCNAE 004350

3/14/23, 12:09 PM

Gmail - Re: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda McNae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>

Tue, Mar 14, 2023 at 12:09 PM

To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Good afternoon Ms.Puglisi,

The report is close to being done. Unfortunately we are in the middle of Spring Break and working 13 plus hour shifts. I am working on Ronda and several other reports on my two days off. We will give you an update once it's complete. I appreciate your patience , we are almost there.

Sergeant Ozaeta

On Mar 14, 2023, at 11:09, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good morning Sgt Ozaeta, I am following up on Ronda's case to see if the report is done? It's been 2 weeks since our last contact with the department. I know that Natalie is in the middle of a death penalty case right now and wouldn't be able to review until she's done but wanted to at least get an update on the status. Thanks.

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

MCNAE 004351

3/14/23, 11:35 AM

Gmail - Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Ronda McNae

1 message

Sabrina Puglisi <puglisilawfirm@gmail.com>

Tue, Mar 14, 2023 at 11:09 AM

Reply-To: Sabrina@puglisicarames.com

To: "Ozaeta, Melanie" <melanieozaeta@miamibeachfl.gov>

Cc: osvaldoramos@miamibeachfl.gov

Good morning Sgt Ozaeta, I am following up on Ronda's case to see if the report is done? It's been 2 weeks since our last contact with the department. I know that Natalie is in the middle of a death penalty case right now and wouldn't be able to review until she's done but wanted to at least get an update on the status. Thanks.

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

MCNAE 004352

5/27/23, 9:54 AM

Gmail - Re: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda McNae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>

Tue, Mar 14, 2023 at 12:09 PM

To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Good afternoon Ms. Puglisi,

The report is close to being done. Unfortunately we are in the middle of Spring Break and working 13 plus hour shifts. I am working on Ronda and several other reports on my two days off. We will give you an update once it's complete. I appreciate your patience , we are almost there.

Sergeant Ozaeta

On Mar 14, 2023, at 11:09, Sabrina Puglisi <puglisilawfirm@gmail.com> wrote:

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Good morning Sgt Ozaeta, I am following up on Ronda's case to see if the report is done? It's been 2 weeks since our last contact with the department. I know that Natalie is in the middle of a death penalty case right now and wouldn't be able to review until she's done but wanted to at least get an update on the status. Thanks.

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

MCNAE 005393

5/27/23, 9:56 AM

Gmail - RE: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

RE: Ronda McNae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Sat, Apr 1, 2023 at 12:41 AM

Good Morning Ms. Puglisi,

Thank you for the deposition transcript attachment; I will add it to the case file. I will be reviewing it in the next couple of days. As you know, March is one of our busiest times in Miami Beach. Now that spring break is over; I can resume Ms. McNae's case. I will reach out to Ms. Synder on Tuesday to see if we can arrange a date to meet so I can present the case. I will keep you updated.

Respectfully,

Sgt. Ozaeta

From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Wednesday, March 29, 2023 3:53 PM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Cc: Ramos, Osvaldo <OsvaldoRamos@miamibeachfl.gov>
Subject: Ronda McNae

| THIS MESSAGE COMES FROM AN EXTERNAL EMAIL. USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS |

Sgt Ozaeta, I am attaching the deposition transcript of the statement made by Fitzgerald for your review. I also wanted to get an update on the investigation as almost another 2 weeks has passed since I last contacted you for an update.

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

MCNAE 005394

5/27/23, 9:56 AM

Gmail - RE: Ronda McNae

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

RE: Ronda McNae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Mon, Apr 10, 2023 at 11:15 AM

Yes, as soon as she contacts me. I will let you know.

MIAMIBEACH

Melanie Ozaeta, Sergeant

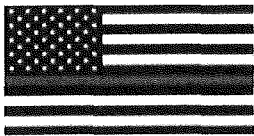
Miami Beach Police Department
Patrol Division
1100 Washington Avenue
Miami Beach, FL 33139
Cell: 786-385-9924
Tel: 305-673-7776 ext 5114
melanieozaeta@miamibeachfl.gov

Mission: Address crime and community concerns.

Vision: A safe and welcoming environment for everyone.

Values: Honorable, professional, and resilient.

Our Daily Goals: Use innovative approaches to address crime, maintain and enhance a professional and well trained workforce and enhance the public's perception of the Miami Beach Police Department.



From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Monday, April 10, 2023 10:48 AM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Subject: Re: Ronda McNae

MCNAE 005396

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Thanks for the update. I know Natalie has been in a death penalty trial and as of last week she was still not done.

On Mon, Apr 10, 2023 at 7:27 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good morning,

I am awaiting a response from the SAO's office to set up a meeting regarding Ronda McNae's case. I just wanted to give you an update.

Respectfully,

MIAMIBeach

Melanie Ozaeta, Sergeant

Miami Beach Police Department

Patrol Division

1100 Washington Avenue

Miami Beach, FL 33139

Cell: 786-385-9924

Tel: 305-673-7776 ext 5114

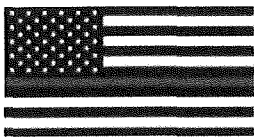
melanieozaeta@miamibeachfl.gov

Mission: Address crime and community concerns.

Vision: A safe and welcoming environment for everyone.

Values: Honorable, professional, and resilient.

Our Daily Goals: Use innovative approaches to address crime, maintain and enhance a professional and well trained workforce and enhance the public's perception of the Miami Beach Police Department.



From: Sabrina Puglisi <puglisilawfirm@gmail.com>

Sent: Saturday, April 1, 2023 9:42 AM

MCNAE 005397

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae

To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Subject: Re: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Thank you for the update. Have a great weekend

On Sat, Apr 1, 2023 at 12:41 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good Morning Ms. Puglisi,

Thank you for the deposition transcript attachment; I will add it to the case file. I will be reviewing it in the next couple of days. As you know, March is one of our busiest times in Miami Beach. Now that spring break is over; I can resume Ms. McNae's case. I will reach out to Ms. Synder on Tuesday to see if we can arrange a date to meet so I can present the case. I will keep you updated.

Respectfully,

Sgt. Ozaeta

From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Wednesday, March 29, 2023 3:53 PM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Cc: Ramos, Osvaldo <OsvaldoRamos@miamibeachfl.gov>
Subject: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Sgt Ozaeta, I am attaching the deposition transcript of the statement made by Fitzgerald for your review. I also wanted to get an update on the investigation as almost another 2 weeks has passed since I last contacted you for an update.

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

MCNAE 005398

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

RE: Ronda McNae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Fri, Apr 14, 2023 at 4:08 AM

Good Morning,

I received an email from Ms. Synder, and because she is in the middle of a big case, she will not be available till May. I am giving you an update as promised. In the meantime, I will continue to update the case file.

Respectfully,

MO

From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Monday, April 10, 2023 10:48 AM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Subject: Re: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Thanks for the update. I know Natalie has been in a death penalty trial and as of last week she was still not done.

On Mon, Apr 10, 2023 at 7:27 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good morning,

I am awaiting a response from the SAO's office to set up a meeting regarding Ronda McNae's case. I just wanted to give you an update.

Respectfully,

MIAMIBEACH

Melanie Ozaeta, Sergeant

Miami Beach Police Department

MCNAE 005400

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae

Patrol Division
1100 Washington Avenue
Miami Beach, FI 33139
Cell: 786-385-9924
Tel: 305-673-7776 ext 5114
melanieozaeta@miamibeachfl.gov

Mission: Address crime and community concerns.

Vision: A safe and welcoming environment for everyone.

Values: Honorable, professional, and resilient.

Our Daily Goals: Use innovative approaches to address crime, maintain and enhance a professional and well trained workforce and enhance the public's perception of the Miami Beach Police Department.



From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Saturday, April 1, 2023 9:42 AM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Subject: Re: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Thank you for the update. Have a great weekend

On Sat, Apr 1, 2023 at 12:41 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Good Morning Ms. Puglisi,

Thank you for the deposition transcript attachment; I will add it to the case file. I will be reviewing it in the next couple of days. As you know, March is one of our busiest times in Miami Beach. Now that spring break is over; I can resume Ms. McNae's case. I will reach out to Ms. Synder on Tuesday to see if we can arrange a date to meet so I can present the case. I will keep you updated.

Respectfully,

Sgt. Ozaeta

MCNAE 005401

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae

From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Wednesday, March 29, 2023 3:53 PM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Cc: Ramos, Osvaldo <OsvaldoRamos@miamibeachfl.gov>
Subject: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Sgt Ozaeta, I am attaching the deposition transcript of the statement made by Fitzgerald for your review. I also wanted to get an update on the investigation as almost another 2 weeks has passed since I last contacted you for an update.

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

--

Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106

MCNAE 005402

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

MCNAE 005403

5/27/23, 9:58 AM

Gmail - RE: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

RE: Ronda McNae

1 message

Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
To: "Sabrina@puglisicarames.com" <Sabrina@puglisicarames.com>

Fri, Apr 28, 2023 at 1:25 AM

Thank you, I will review it.

Respectfully,

Sergeant Melanie Ozaeta

From: Sabrina Puglisi <puglisilawfirm@gmail.com>
Sent: Thursday, April 27, 2023 3:41 PM
To: Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>
Subject: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL. USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Sgt., I wanted to attach the deposition transcript of Yelany, the spouse of Fitzgerald. Of specific importance to your investigation is on pages 126-138 where it is discussed at length the fact that she submitted a false affidavit to the police. She admits that Ronda repeatedly advised her that Fitzgerald had raped her and that she (Yelany) believe Ronda over Fitzgerald about what happened at that time because he is a liar. She admits that her statement to you/law enforcement, was false.

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

sabrina@puglisilaw.com

www.puglisilaw.com

5/27/23, 9:59 AM

Gmail - Re: Ronda McNae



Sabrina Puglisi <puglisilawfirm@gmail.com>

Re: Ronda McNae

1 message

Sabrina Puglisi <puglisilawfirm@gmail.com>

Sat, May 27, 2023 at 9:50 AM

Reply-To: Sabrina@puglisicarames.com

To: "Ozaeta, Melanie" <MelanieOzaeta@miamibeachfl.gov>

Sgt, I understand you work nights but this has been ongoing for a very long time now. You've been giving me reasons since last September why it hasn't been finished. Last I heard from you in April, you mentioned scheduling a meeting with Natalie in May because she was in trial. I knew this to be true since I have a case with her but she has been out of trial for the entire month of May and we are at the end with still no meeting scheduled. When I asked her about this case a week ago she had no idea what I was referring to. I assume that you will have a meeting with Natalie shortly and we will be resolving this one way or another in June.

On Fri, May 26, 2023 at 1:50 AM Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov> wrote:

Received. I will be scheduling our meeting soon. Please keep in mind that I work midnight hours now so I have to coordinate with Natalie what works best for both of us. I will let you know once we have our meeting scheduled.

Thank you,

Sergeant Ozaeta

From: Sabrina Puglisi <puglisilawfirm@gmail.com>

Sent: Tuesday, May 23, 2023 7:16 PM

To: Natalie Snyder <NatalieSnyder@miamisao.com>; Ozaeta, Melanie <MelanieOzaeta@miamibeachfl.gov>

Subject: Ronda McNae

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Natalie, as I was mentioning to you the other day when we were speaking on the case we have, I represent Ronda McNae, the victim of a sexual battery. Det. Ozaeta is investigating and my understanding is that now you are no longer in trial, she would be meeting with you on this. Please let me know when that meeting will take place and when my client and I could speak to you. Thanks.

--

Sabrina Puglisi

Board Certified Criminal Trial

Puglisi Carames

1900 N. Bayshore Drive, Suite 106

Miami, Florida 33132

Ofc. (305) 403-8063

Fax. (305) 379-6668

MCNAE 005405

5/27/23, 9:59 AM

Gmail - Re: Ronda McNae

sabrina@puglisilaw.com

www.puglisilaw.com

--
Sabrina Puglisi
Board Certified Criminal Trial
Puglisi Carames
1900 N. Bayshore Drive, Suite 106
Miami, Florida 33132
Ofc. (305) 403-8063
Fax. (305) 379-6668
sabrina@puglisilaw.com
www.puglisilaw.com

Declaration

Exhibit J-4

TIMELINE POST ASSAULTS

Initial crime; 2019 October 18th/19th in Miami, FL

Subsequent crime; 2019 November 2nd/3rd in San Francisco, CALLED

November 4th 2019 – After returning from San Francisco, I started picking up my kids before school would be let out in hopes to avoid people and having to talk to anyone. Post Miami, I began randomly gagging however after SF, it worsened and magnified. At times I would get to a point of throwing up.

November 6th 2019 – I checked into the Emergency Room at Evergreen Hospital complaining of severe abdominal pain and pain in my vagina. I was treated with IV antibiotics. Fecal matter was present in my vagina and I was positive for E-Coli due to the subsequent assault in San Francisco, CA.

November 14th 2019 - Dark suicidal thoughts. Walked the streets at night hoping someone would kill me. Then debated what street to run into, in hopes I would end my suffering. Many small God moments kept me living.

November 15th 2019 – I finally gathered the courage to tell my husband the details of the night in Miami. Feeling the weight being lifted, I then receive texts from Mike Fitzgerald telling me “I have lost the plot” like he was mad at me I didn’t keep to his plan although I was literally dying inside.

November 18th 2019 – I emailed a couple pastors and friends locally asking for help to attend a trauma intensive.

November 19th 2019 – I received a text from Will McNae; 5:27AM

“I understand now. I’ve never had feelings of depression that were so overtaking. I’m at Pro Club. But I had visions of taking off my seatbelt and driving into a light post at full speed. And it scares me. You would be far happier I feel like. Life insurance could get you a new life to begin again. And you wouldn’t have to explain anything to anyone about decisions”

November 20th 2019 – Will left town for work while I stayed home with kids. I attempted to fill out my submission forms to attend a Healing/Trauma Intensive but struggled. I decided to surprise kids and take a last minute trip to Disney Land. I assumed seeing the joy through their eyes would bring me back to my body.

November 20th – 22nd – Disney Land with kids! Started to see the light at the end of the tunnel.

December 11th 2019 - Mike Fitzgerald was in town and asked to meet me for coffee. He asked to meet me separately from Will to apologize. He used this time while I was alone to see how Will was feeling and to gauge if Will planned on telling either SoftwareONE or Microsoft HR. Mike reminded me that both of their careers would be gone if word got out.

December 16th-22nd – I attended a “Healing/Trauma Counseling Week” in Nashville. It was costly and Mike Fitzgerald paid \$1k towards the \$5,800k cost of the camp not including flights etc.

January 27th 2020 – I admitted to myself what really happened the night in Miami wasn't ok. I didn't consent but allowed myself to believe his lies and narrative. I likely didn't want to admit (yet again) another man took advantage of my vulnerability. Once I accepted that, the pain and stress was doubled knowing I needed evidence to support this.

I threw myself into learning about other personality traits and mental illnesses and disorders. While I attended my Trauma Intensive in December, I realized something didn't add up with Mike Fitzgerald. Mike Fitzgerald had been gaslighting me and somehow blaming me for things. I noticed pretty quick, this man mirrored everything he knew about me. He manufactured his identity to gain sympathy, trust, and access to prey on me.

I felt I needed to prove to myself this man was capable of being an awful human before I would allow myself to file a police report. I was still in some denial that this man manufactured his identity to prey on me. So I created and communicated complex challenges to Mike Fitzgerald; fake pregnancy, filed for divorce, and Will was no longer living with me. I knew his response and behaviors would provide me with a better understanding of his level of psychopathy, manipulation, deceit, and lack of a moral code. I was living in a state of cognitive dissonance since this wasn't natural to me to try and be 5 steps ahead or catch Mike Fitzgerald in his web of lies.

February 1st 2020 – I reached out to Yelany DeVarona (current girlfriend) hoping to line up timelines and learn about Mike Fitzgerald.

February 19th 2020 – I prepared a timeline with commentary for my counselor who read through it and acknowledged there was a crime the night in Miami.

February 24th 2020- My counselor Sarah Dellinger also validated based on my testimony, a crime was committed in October regardless of the nature of the friendship after. I did not consent due to the amount of intoxication. Just because one moment may have been consensual doesn't mean the entire evening was. The fact I said "No" as Mike Fitzgerald tried to pull my swimsuit bottoms to the side was enough. I didn't need to continue saying "No!" One time was enough.

February 25th 2020 – Mike was in town for work and walked up to my husband during work hours saying he didn't to talk. Mike said "He's sorry for the pain he's caused and commits to paying for personal counseling for Ronda as well as marriage counseling – also said he was making positive personal choices including not drinking. Feared if he would drink, he would destroy someone if they upset him"

February 28th 2020 – Mike communicated via text; He will wire \$1,500.00 for the first 3 months then \$2,400.00 for the following 12 months since my counseling costs out of pocket were much more than expected.

April 3rd 2020 – A document collectively created between my counselor and husband to cover counseling treatment plan for 3 years.

March 3rd 2020 – Mike Fitzgerald wired \$1,500.00 to cover counseling costs for February.

March 11th 2020 – Mike Fitzgerald insisted on paying my counselor directly but I said NO WAY! (I felt that gave him too much insight to my mental health plus it's a violation of privacy)

March 23rd 2020 – Will McNae spoke to his *manager at Microsoft; Josh Condie* about the assaults.

March 27th 2020 – We had a call with *Leslie Pickering (Director at Microsoft)* who shared complaint to HR on behalf of Will.

While Will McNae was slowly phased out from the Partner account on the surface level, Will was still required to work on this account until **July 1 2020**. No one wanted to disclose the truth as to why Will was being moved from this account, nor did anyone alert the VP; David Totten at this time which is odd.

March 28th 2020 - Mike communicated that \$1500. 00 was set up for April 1st but then stated he paused payment because he didn't hear from me.

March 30th 2020 – Will received an email from Leslie Pickering but was scripted from U.S HR : claiming zero liability etc. A copy is in the MS folder for evidence.

April 1st 2020 – I sent Mike Fitzgerald a few documents including; letter directly from my counselor with my diagnosis of PTSD and symptoms plus treatment plan with a payment schedule to cover the counseling as he committed too.

April 6th 2020 – Mike Fitzgerald was a bit hostile over text stating I was trying to emotionally blackmail him into covering counseling costs and putting off formalizing a payment plan.

(A couple hours later) Will McNae let Mike Fitzgerald know that he's "begun communicating directly with the US team that he will no longer be the point of contact"

(In panic)Mike Fitzgerald insisted on know why Will was no longer the point of contact. Likely trying to figure out "who" knows and "what" do they know?

April 7th 2020 – Provided with a counseling payment plan to cover my personal counseling and marriage counseling.

April 8th 2020 – Mike Fitzgerald has yet to transfer money to cover any counseling for the month of March which was \$3,000k out of pocket. Mike said he rewired money to help cover partial cost of counseling for March 2020.

He has taken a far more kind approach to me leaving out the blame and accusations making me feel like I'm coming after him for no reason.

February 20th 2020 – Will McNae spoke to *Jared Cheney (SoftwareOne US Technical Services Director)* in person regarding the events that happened to his wife and that Mike Fitzgerald took advantage of Ronda's level of intoxication and forced sex.

April 15th 2020 – I (Ronda McNae) emailed *John Mayes (Chief Global HR Officer at SoftwareONE)* Further emails on;

2020 – April 20th, April 15th, April 17th, April 19th

2021 – December 29th

2022 – March 30th, April 1st, April 26th, May 4th, May 7th, May 9th, May 14th

May 27th, 2021: I called Miami, PD to make a report with Rosenthal. I was then told "this will be filed as information only" due to the delay in reporting and what you have shared (over a 45 minute phone call) this is all we can do.

May: 5 phone calls to Miami PD

June 3rd– Will and Ronda had an initial call with *Microsoft HR: Julianne*

June 10th– Will had a call with *Microsoft HR: Shelia Humphrey & Julianne* – They asked ahead of time that his wife shouldn't be a part of the call (this was a red flag so of course I listened)

July: 2 phone calls to Miami PD

July 13th– Will sent an *official HR complaint* after learning his initial complaint wasn't document or in his Employee file

July 14th– Will received an email from the MS; Business conduct and compliance team acknowledging his complaint

August: 2 phone calls to Miami PD.

August 3rd– Will had a call with *Wendy Surikov workplace investigations for Microsoft* – I have this convo recorded

September: 2 phone calls to Miami PD

September 14th– Emailed Wendy Surikov requesting to speak to follow up on the criminal investigation. (No response)

September 30th– After a dozen calls to Miami PD, I finally got connected with Javier Fernandez. At this point I sent over my file folder of evidence

October: 6 phone calls to Miami PD, twice speaking with an officer.

October 6th – Emailed Wendy Surikov requesting to speak to follow up on the criminal investigation (no Response)

October 6th - I came across an article on CNN regarding MS and shareholder: Arjuna Capital pressing the company on proper handling of sexual assault and/or harassment cases.

October 7th/ 8th– Oddly enough, I booked a commercial and was on set with Bill Gates. On the 8th I had a full panic attack; gagging and crying. This is when I knew Microsoft has fault in the matter, they essentially became a bystander unwilling to hold a Partner accountable for violating the Partner Code of Conduct.

October 8th– I had a call with Julie from Arjuna Capital; Julia Cedarholm letting her know MS wouldn't even investigate my husbands HR complaint. Who will hold the company accountable for the initial investigation?

October 20th– Filed a police report with Redmond PD

November: 1 phone calls to Miami PD.

November 1st - Went to Redmond PD to file a courtesy police report for San Francisco PD

November 2: Ronda spoke with Lieutenant Payne who assigned a detective to case.

November 15: received Marcy's Law notice of legal rights by mail.

November 30th– I received a call from Ajurna Capital post meeting with MS, sharing the good news while the press releases came out. While I was thankful to witness a small step in the right direction, I knew we were far from the finish line. I was encouraged to reach out to the 3rd party firm investigating MS.

December: 8 phone calls to Miami PD.

December 1: Ronda spoke with Detective Melanie Ozaeta who provided contact information and informed she would be assigned to case.

January: 5 phone calls to Miami PD.

January 6th 2022: – Filed a complaint with the EEOC. Currently Will has the "right to sue"

January 10th 2022 – Conversation with Officer Diaz in Miami, FL where he said highly inappropriate things

January 11th 2022 – I retraced my steps in Miami in hopes to recall more details

January 12th 2022 – Verbal sworn statement with Miami PD

January 13th 2022 – Will gave his verbal sworn statement with Miami PD

January 18th 2022 – Detective Slade from Redmond PD completed crime report and sent it over to San Francisco PD

January 7th 2022 – A mutual friend connected me with Gretchen Carlson since she has been through a case similar to mine with FOX News.

January 21st 2022 – San Francisco PD encouraged me to connect Sgt. Brown and Detective Slade to move things along. They will be connected by the 26th of January

January 19th 2022 – Will contacted Arent Fox (Law firm investigating and auditing Microsofts polices regarding HR reporting and investigating) sharing a few details on our case only to be forwarded to the head of PR. I contacted their D.C. office and SF office attempting to connect to Michael Stevens who leads the MS shareholder resolution project.

February: 1 phone call to Miami PD.

February 1st 2022 – I wrote to Commissioner Steven and the City Attorney in Miami, FL

February 15th 2022 – Finally heard back from Michael Stevens via email. They can't investigate this further. Still haven't heard a peep from MS workplace investigations or HR.

February 17th 2022 – Detective Ozeata will present to the State Attorney

February 21st 2022 – Detective Ozeata emailed me letting me know she and Sergeant Ramos were given approval to move forward with investigating the crime in Miami, FL.

February 22nd 2022 – 71 minute call with Sargent Francisco Rodriguez which he stated my case will not be investigated based on this call.

February 28th 2022 – 15 minute call from Lieutenant Tim O'Connor from SFPD (returning my call)

March: 4 phone calls to Miami PD.

March 14th 2022 – 21 minute call with Detective Slade from Redmond PD

March 15th 2022 – 11: 38AM – 20 minute call District Attourney's office: Victims Service Unit: Cindy Pelyao

March 17th 2022 – 9:27AM Spoke to a new Detective to ask for Sargent Rodriguez Badge # and I was given the front desk number

March 17th 2022 – 9:36AM Spoke to SFPD front desk. I asked for badge # to fill out a report. The receptionist wasn't comfortable giving it to me so I could finish my report to the CA State Attourney General. She insisted on forwarding me to Lieutenant Tim O'Connor, I said no, don't worry about that. I'm not comfortable speaking with him. I'll go ahead and make a note on my complaint I made two attempts badge to retrieve badge numbers but the front desk but they "weren't comfortable sharing that information with me"

April 1st 2022 – Went to Evergreen Hospital to request records from November 6th 2019. After learning fecal matter was found in my vagina, I decided to go to SF to deliver my folder of evidence hoping to speak with someone from SVU.

April 7th 2022 – After 3 attempts physically walking into the Hall of Justice only to be stonewalled by SVU in San Francisco, CA – I went to Central Station to hand over my evidence and make a supplemental report with Officer David Dito.

April 15th 2022 – Spoke to Chris Maulden (Microsoft Employee relations) As a witness to this conversation, it was highly unsettling. I transcribed the entire conversation. No one else was on the call and sadly I don't trust anyone having Will's best. Roughly a dozen emails went back and forth. Will requesting an in-person meeting and Chris refusing. A few points that were made via email were dismissed and Chris did not take responsibility or accountability.

April 25th 2022 – Will and I met with Leslie Pickering (MS Director) She helped brainstorm productive next steps

May: 5 phone calls with Miami PD.

May 6th 2022 – Will and I met with David Totten (MS – VP) for a follow up conversation and to further brainstorm productive next steps

May 23rd 2022 – Will had a call with Microsoft Employee relations; Chris Maulden and included David Totten (VP), and Leslie Pickering (Director). David and Leslie have been very supportive. Up until this date, no representative from MS human resources followed up requesting evidence or asking what happened. They have continued to operate off of “heresy” information through third party. This turned out to be a very productive and informative call. This conversation helped T up the conversation for the following day with just Will and Chris.

May 24rd 2022 – Will had a follow up call on the record with Employee Relations; Chris Maulden. On behalf of MS – HR, Chris acknowledged and apologized for the pain we’ve endured. Chris stated he would consume everything and get back to Will.

May 25rd 2022 – As of today, there has not been any forward motion or consequence on the partner for violating the “Partner Code of Conduct” nor any resources been extended to Employee/family. I (Ronda) have clocked in over 200+ counseling sessions since. Two weeklong intensives for healing and trauma.

June: 3 phone calls to Miami PD.

Declaration

Exhibit J-5

Timeline with San Francisco Police

10/20/21- Police Report made with Redmond PD in Redmond, WA

01/18/22 – Detective Slade from Redmond PD communicated with victim that she has completed her written report and she would be sending it to SFPD.

Detective Slade stated that I (victim) hold any evidence stating “The less people involved in the chain of custody, the better”.

01/21/22 – I communicated to Detective Slade that I spoke with SFPD. SFPD stated my case hasn’t been entered into their system. I was told to have Detective Slade connect with Sargent Brown to move the process along.

02/01/22 – Ronda McNae wrote a letter to the SF District Attorney Office

02/22/22 – 1:35PM – Will McNae received a call from Sargent Rodriguez requesting Ronda McNae’s contact information stating it wasn’t on the police report. This call lasted 2 minutes long.

02/22/22 – 1:50PM – Ronda McNae called Sargent Rodriguez (number was given to her from Will McNae) This call was 71 minutes long. Ronda McNae later found out this initial contact was the “recorded victim statement” although this was never communicated nor did Rodriguez ask if Ronda was in a private and safe environment or if she had the time to speak in great detail.

02/28/22 – 9:55AM – Lieutenant Tim O’Connor called Ronda McNae. A 15 minute phone call witnessed by Sarah Dellinger. I am NOT comfortable speaking with Sargent Rodriguez again and I requested another Detective to be assigned my case. Lieutenant Tim O’Connor clarified his next steps were to speak to Rodriguez then he (Lieutenant Tim O’Connor) would follow up with me.

03/02/22 – 12:51PM – Sargent Rodriguez called Ronda McNae however Ronda requested to call him back at a more appropriate time

03/02/22 – 4:34PM – Ronda McNae called Sargent Rodriguez. No contact

03/03/22 – 1:49PM – Ronda McNae called Sargent Rodriguez. No contact

03/04/22 – 10:14AM – Ronda McNae called Sargent Rodriguez. No contact

03/04/22 – 12:29PM – Ronda McNae called Sargent Rodriguez. No contact

03/04/22 – 1:13PM – Ronda McNae emailed Sargent Rodriguez:

Sargent Rodriguez,

I apologize the other day: March 2nd 2022 at 12:51PM I was unable to take your call. I tried you back at 4:34PM but I imagine you were headed home by then. Yesterday March 3rd: I tried you at 1:49PM then today March 4th at 10:14AM and 12:29PM.

If email is easier, that works for me and is preferred. While I'm highly skeptical of how you conducted your initial contact/interview with me as the victim, I am willing to try round two with a clean slate and IN PERSON with my advocate present; Cindy Pelayo.

Please let me know what days work for you next week or the week after.

-Ronda McNae

03/08/22 – Ronda McNae and Sargent Rodriguez spoke for 19 minutes by phone. This conversation was recorded and witnessed by Will McNae

03/08/22 – Ronda McNae sent an email to Sargent Rodriguez

Officer Rodriguez,

I am requesting a change of officer based on our phone conversation today AND February 22nd. Thankfully, I had a witness for each of those calls including my conversation with your supervisor. Please consider an introduction to a female officer within the Special Crimes unit: Esther Gonzalez. Or, someone with more experience engaging Sexual Assault victims and are trauma informed. I do not want to burden you with a case that isn't the right fit.

The last couple weeks I have listened to several podcasts on Justice co-hosted with Rachel Marshall and Chesa Boudin. I had high hopes with SFPD because of these podcasts and learning how law enforcement conducts the investigation of cases similar to mine. I'm am aware of my Victim Rights but baffled how you believe you honored them? When I feel forced to share how I said, "no to anal sex" while my son had been on the other side of my door waiting to hand me a piece of candy since he heard me crying? Asked me "Was there any witnesses?" I responded with "No, there aren't ever witnesses to crimes like these unless you're being gang raped" then you ended with asking me "Why I didn't report sooner? The next day? Why did I wait so long?" This treatment is known as Victim Blaming. You never asked if I gave consent, you only focused on if I said no, which I did yet you decided I said no ONLY to anal sex rather than considering I wasn't ok to any of it nor did I say "YES I WANT TO HAVE SEX WITH YOU!"

The assailant already said a dozen times my husband would be let go from Microsoft if I said a word. What choice did I have here? Perhaps a perfect example of Tonic Immobility.

MCNAE 001664

I read an article in Police Chief Magazine : <https://www.policechiefmagazine.org/the-effect-of-cultural-bias-on-the-investigation/> I encourage you to take a read.

Like I stated on the call today, I have already reported your mishandling of my case with an outside agency. I had hoped we could find common ground today and start over. I communicated this plan to my counselor and my victim's advocate. Unfortunately, that's not the case here so I will follow up with the DPA and move forward. It is clear we are not hearing one another nor in a place to collectively work together.

I asked you several times on our phone call today about scheduling a time to speak in-person as I am willing to book a flight to SFO. There is more information, details and evidence to share with you to make this a complete statement. You shared with me today that our phone conversation on February 22 at 1:50 PM was actually a recorded victim statement which I was not aware of. In fact, you told my husband you had a few "follow up questions" for me. When I called you back, you never once asked me if I was in an appropriate environment to delve into the case, nor did you ask if this was an appropriate time considering both of my kids, husband, and mother-in-law were in the home preventing me from speaking freely through the entire conversation. Halfway through the Feb 22nd phone call my son entered the room attempting to cheer me up but I had to shush him away.

February 22nd phone conversation: in 1 hour and 11 minutes over the phone you determined you had asked enough questions to make a decision not to pursue investigating my case.

During today's call, you asked me several times if I "would I be willing to call Mr. Fitzgerald from your office and ask about his side of the story" - this is extremely troubling as a victim. I warmed up to this idea with the Miami South Beach PD but only after Detective Ozeata had spent 6-7 hours with me in person over two days.

Mr. Fitzgerald is a man I am terrified of and still worry about my safety. I literally just shared this with a representative at the Women Against Rape organization yesterday. I stated verbatim "If I go missing, you will know who did it!" - This statement doesn't come from a victim mentally armed and emotionally prepared to make contact with Mr. Fitzgerald. I trust the support in Miami, FL and shared I would be willing to meet him as long as others were watching to protect me. My strength and confidence grew based on the character, conduct, and integrity of Detective Ozeata and Sargent Ramos from Miami South Beach PD. For the future, you have to earn a level of trust prior to asking any DV victim/rape survivor to have a phone call with their assailant.

I will forward and include this email to other parties who are or will need to be involved. I'm deeply disgusted and disturbed with my experience with SFPD.

Thankful I learned quickly a paper trail, witnesses to calls, and personal recordings will protect me otherwise I wouldn't have anything to stand on.

Please only communicate with me via email. I will no longer take calls from you.

-Ronda McNae

03/14/22 – Will McNae and Ronda McNae spoke to Lieutenant Tim O'Connor by phone. This conversation was witnessed and recorded. O'Connor ended the conversation agreeing to meeting in person so I could hand over my folder of evidence.

03/14/22 – Sent email to Lt. Tim O'Connor requesting a new detective. I included a summary of my case plus the letter/email wrote to the District Attourney of SF:

Lt. Tim O'Connor,

Please assign a different officer for me to speak to within your Special Crimes Unit. I will schedule time with this person to speak in-person in your San Francisco station and include representation from the victim's advocacy group. I have not shared my complete story nor provided you with the evidence file. I was not made aware that on February 22nd, I was giving a phone-based victim's statement, nor did I give consent to Officer Rodriguez to record me. I am requesting an opportunity as a victim to start over with an unbiased officer so that I can be properly heard, and my victim rights be honored.

During our phone call today (3/14), you stated that Detective Ozaeta, of the Miami South Beach PD, had told Rodriguez on March 8th that my case was not being pursued. This in fact is not true. The email below shows that Detective Ozaeta was still actively investigating my case but would slow down a bit due to spring break. You also informed me that Rodriguez had been transferred out of your department – which leads me to believe there may be other reasons, besides his mishandling of my case, your department is concerned with. If Rodriguez has been transferred out of your department, shares, and documents misinformation such as Detective Ozaeta's pursuit of my case in Miami, and is someone whom I have requested to not speak with ever again, why do you continue to adamantly defend his decision to treat my case as open but inactive? From our phone call today, I still cannot understand why speaking with a new officer in-person would be harmful to your department? You have made it abundantly clear to me that you are basing your decision on what Rodriguez wrote in his report. But his report is the very thing at the center of my complaint and request for investigation with the Department of Police Accountability!

Quick recap: Rodriguez told my husband he had a few "follow up questions" for me on February 22nd. He did not inform me my phone call would be treated as my official victim statement. He did not ask for consent to record our conversation. He did not appear aware of the courtesy statement written and submitted by Detective Slade of the Redmond PD. He blamed me for not coming forward sooner. He did not pause and ask if this was an appropriate time to talk on the phone after my son entered the room and I had to abruptly shoosh him away.

You stated several times on our phone call today (3/14) that my case (phone statement and courtesy report from Redmond PD) does not meet the criteria to continue investigating sexual

assault. I firmly believe the ill-timed phone statement and lack of providing evidence to you directly does not meet criteria for serving citizens with fairness, dignity, and respect for their rights.

I am simply asking to start over with a different officer – this time in-person in your San Francisco station along with representation from the Victim's Advocacy Group. I continue to be available and ready to travel to San Francisco because I believe a sexual assault crime has been committed. I will not stop until I feel that my rights are being treated seriously. I have been advised to contact the CA State Attorney General: Rob Bonta. I have also followed up with the FBI and have been given the same guidance.

*Sincerely,
Ronda McNae*

04/01/22 – Ronda McNae requested Emergency Room records from November 6th 2019 in hopes to find more potential evidence proving the crime in San Francisco, CA November 2, 2019. In her medical report Ronda McNae saw lab work which proved fecal matter had been found in her vagina.

04/02/22 – Ronda and family decided to head to San Francisco, CA last minute to hand deliver evidence

04/05/22 – Will, Ronda, and kids went to the SFPD Southern Station which they were then told that Lieutenant O'Connor works out of the "Hall Of Justice" so the family went there in hopes to meet O'Connor and hand over folder of evidence. No contact was made.

04/06/22 – Will and Ronda McNae happened to meet and speak with Officer David Dito and Officer Ryan Davidson outside a coffee shop. In a brief conversation, the officers learned why we were in town. The officers encouraged us to go into another SFPD station to turn in evidence and provide more to my victim statement (if) SFPD-SVU continues to "stonewall" me.

04/06/22 – Will and Ronda McNae went to the District Attorney's Office to meet with Ronda's advocate: Cindy Pelayo.

Will and Ronda McNae went to the Hall of Justice to meet O'Connor and hand over folder of evidence. No contact was made.

04/07/22 – 5:30AM – Ronda McNae wrote an email Lt. Tim O'Connor:

*Lieutenant,
I'm in town to go over evidence with you.*

Tomorrow I'll be meeting with two investigative reporters before heading back to Seattle. They are aware of my story and my struggles with SFPD.

Please let me know if there's time today, preferably this morning. If we can repair this ourselves, there's no need for mediation with the Department of Police Accountability. If there continues to be further challenge, I will feel otherwise.

Feel free to give me a call or shoot me a text. Again, I'd like to try and remedy this ourselves.

-Ronda McNae (206) 914-6752

04/07/22 – Will and Ronda McNae went one last time to the Hall of Justice to meet O'Connor and hand over folder of evidence. No contact was made.

04/07/22 – Will and Ronda McNae ended up running into a PSA who stated "I know of your case. Lieutenant O'Connor said he cannot see or speak with you since you reported him to the Department of Police Accountability"

04/07/22 – Ran into Officer Ryan Davidson who encouraged me to walk into his station. Davidson noticed my large folder of evidence and stated someone at his station would be more than willing to add to my "victim statement" and look over my evidence.

04/07/22 – 11:16AM – Ronda emailed Investigator Natalie Chan and CC'd Lt. O'Connor;

*Department of Police Accountability investigator: Natalie Chan,
I've tried calling you several times this morning and I was unable to reach you. I came in from Seattle this week with my family after uncovering more evidence proving non-consensual sodomy that put me in the hospital. SFPD-SVU refusing to believe no crime was committed even after I told the investigating detective I said "NO". I was forced to pull my own medical records and lab work where traces of feces were found in my vaginal canal. A victim shouldn't have to do this.*

But I had too since SFPD dismissed me, several times.

I went to go see Lieutenant O'Connor three times in a row this week at the Hall of Justice. Finally today, a PSA shared Lieutenant O'Connor is not allowed to have any contact with me because he stated there is a complaint against him and a policy in place keeping him from speaking with me.

This is extremely frustrating considering everything I've had to go through with SFPD thus far and on top of all of that finding out O'Connor's brother and sister are within internal affairs.

Again, this treatment just to be given a fair opportunity as a victim/survivor to be heard and hand over evidence?

I no longer wish to do mediation with O'Connor so please just have him investigated. It's unfortunate my case will likely be dismissed and not even heard due to retaliation with SVU.

So thankful I instinctively recorded two of those calls (plus had witnesses present) out of fear from initial mistreatment from SVU otherwise I'd have no proof and it's my word vs a Sargent, Lieutenant, and his siblings to cover his behavior and conduct.

Tomorrow I will be meeting with two known reporters regarding my case. While I hoped to focus on educating women on consent and improve the process of reporting violent non consensual sex crimes, now the focus must be on SFPD and pushing for policy changes by shining a brighter light on my personal journey with reporting with SFPD.

Again, no mediation necessary. Full investigation on Lieutenant O'Connor.

-Ronda McNae

Declaration

Exhibit J-6

Timeline of significant events between Ronda McNae and Mike Fitzgerald

July 2019 – met Mike Fitzgerald at a work event with Husband, Will McNae

August – Seafair weekend in Seattle with Mike & Patrice Sanchez (girlfriend)

August – Tulum weekend with Mike & Patrice

September – Mike stayed at McNae's home while in Redmond for work, 2 nights

October – Miami

November – San Francisco

Miami Beach – Ronda McNae

Who:

- Mike Fitzgerald, resident of Miami, FL, UK and Irish citizenship
- CIO of SoftwareONE, global technical services organization and Microsoft Partner

Where:

- W South Beach Miami hotel

When:

- Friday – Monday October 18-21, 2019

Summary: Ronda McNae was sexually assaulted by Mike Fitzgerald, a known acquaintance, on the night of October 18, 2019, in Miami, Florida at the W South Beach Hotel. Mr. Fitzgerald is the global Chief Innovation Officer at SoftwareONE and a business colleague of Will McNae because of the partnership with Microsoft. After attending a celebration dinner that Mr. Fitzgerald hosted, he took advantage of Ronda's intoxication when they returned to the hotel. 14 days later, while still in a state of trauma shock and confusion, Ronda traveled to the San Francisco area to watch her niece's soccer game. Mr. Fitzgerald insisted he meet Ronda in-person so he could "*talk about Miami*". Mr. Fitzgerald arrived in San Francisco and met Ronda on Saturday, November 2, and departed Monday 6am. Mr. Fitzgerald held Will's job over Ronda's head and made her feel trapped, like his pet, in the hotel room he paid for and forced to have sex, including attempts at anal sex.

I knew Mr. Fitzgerald because my husband worked with him in his role as global CIO for a Microsoft services provider. Their organization represented a significant amount of software revenues for Microsoft, and my husband was eager to build a positive relationship with their executives. mistreatment for Mr. Fitzgerald took advantage of the unequal power dynamic to sexually assault me and subject us to prolonged abuse and mistreatment for over 8 months.

Beyond the work relationship he had with my husband, I developed a friendship with him and his new girlfriend, Patrice, after meeting Mr. Fitzgerald at a work event in Bellevue, WA, July 2019. Based on the vulnerable stories he shared with my husband and I, we felt incredibly sorry for him on an emotional level considering all of the bad things that he said happened to him that year including: his dad passing away back in England, losing custody of his 15 yr. old son, and a painful breakup. Their company had a public IPO offering in October and he wanted to celebrate his success with friends. When he purchased airfare and lodging for my entire family to join him and his girlfriend in Miami for a weekend celebration, we felt obligated to attend and support our friend and husband's work relationship. However, Patrice had canceled her attendance early in October, but we were informed by Mr. Fitzgerald on October 18 after I had already arrived in Miami and my husband and son were on a red-eye flight.

I flew with my daughter to Miami two days before my husband and son because of his prior work commitments. We stayed in our own hotel room and did fun mother/daughter activities. When I learned that Patrice canceled coming to Miami, my husband asked if I would be willing to attend his special Friday night dinner in place of Patrice. Initially we had not been invited since my husband was not going to be in Miami due to his late flight. The request to attend a last-minute event was a significant burden as it required me to find a trusted sitter for our 9-year-old daughter in one day and be expected to socialize with colleagues of Mr. Fitzgerald whom I had never met.

My expectations of Mr. Fitzgerald were to treat me as a dear friend and wife of a business colleague whom he had described to his girlfriend, Patrice, as his 'best friends'. My attendance at the dinner ultimately resulted in over consumption of alcohol. I recall Mr. Fitzgerald kissing me at the end of the night when we were leaving. I was so intoxicated and terrified of not being able to escape a bad situation I ran away from him and hid in the bushes. I eventually received a call from my sister stating Mr. Fitzgerald was looking for me so that he could help me get home safely. Before arriving at the hotel, I texted my babysitter letting her know I was almost home and needed to pay her. My messages to her were incoherent.

When we arrived at the hotel room around 1:30am, I decided not to fall asleep until my husband and son arrived, and I could feel safe. Since drinking and staying up late was not normal for me, I thought I could keep myself awake if I headed upstairs to the rooftop to sit in the hot tub alone. However, on the way up the steps Mr. Fitzgerald passed me carrying a bottle. Once I saw him get into the hot tub, I recall changing my mind to sit on the lounge chair by myself instead because I was unsure of his motive and intentions and there didn't seem to be an easy escape route.

I recall the following events:

I recall Mr. Fitzgerald coming over to where I was sitting and moving my swimsuit bottoms to the side. I said "no" and pushed him away.

I recall Mr. Fitzgerald being fully naked with an erection.

I recall seeing the deck floor through the slats in the lounge chair and also seeing the stars while feeling sexual intercourse in a frozen physical state.

I recall seeing white walls and a bed in his bedroom of the Penthouse suite that we had all moved into that day (two-bedroom, two-story suite). Ella was sleeping in my bedroom while this was happening.

I do not recall much after this point, but my husband and son arrived at the hotel by 6:30am and reported the following to the Miami South Beach police:

I was still awake at 6:30am and I greeted them at the hotel door wearing only my bathrobe. Due to my childhood sex abuse, I always cover up and wear undergarments so that I can feel protected. Not wearing anything under my robe was highly unusual.

I was so intoxicated I couldn't help getting my son settled and into bed after their long flight.

I was lying on the couch in my bathrobe which only covered a part of my legs and groin. Mr. Fitzgerald was on the other living room couch.

My husband greeted Mr. Fitzgerald but it was not their usual friendly greeting.

I took a shower with my husband and said "ouch" as we started to have intimate intercourse. The following day I did not remember having a shower or being intimate with my husband when he referred to our shower the night before.

Several months later I discovered other facts about Mr. Fitzgerald:

He had sex with his former girlfriend the following night on October 19 (Yelaney, currently married to).

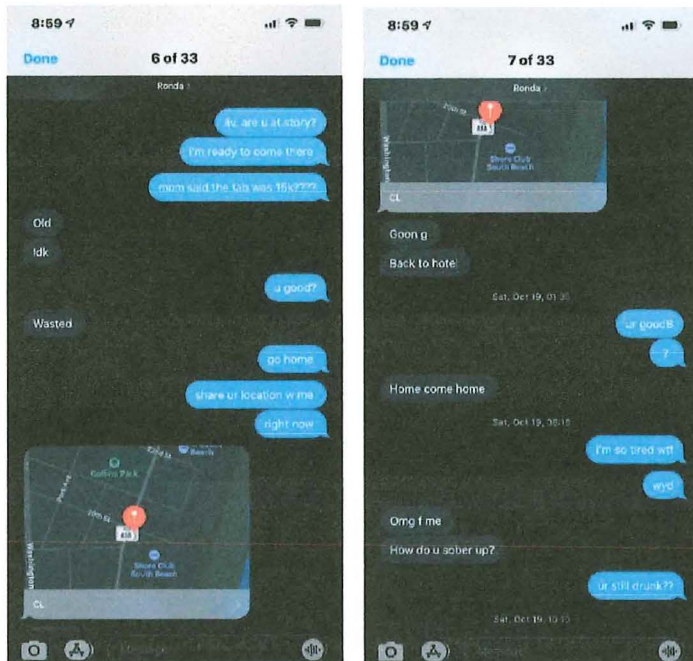
He called Patrice on October 20 and said that he wanted to fly to Austin that day to see her in-person so they could talk about their relationship.

He was living with this former girlfriend when all of this was happening, including dating his new girlfriend, Patrice, who lived in Austin, TX.

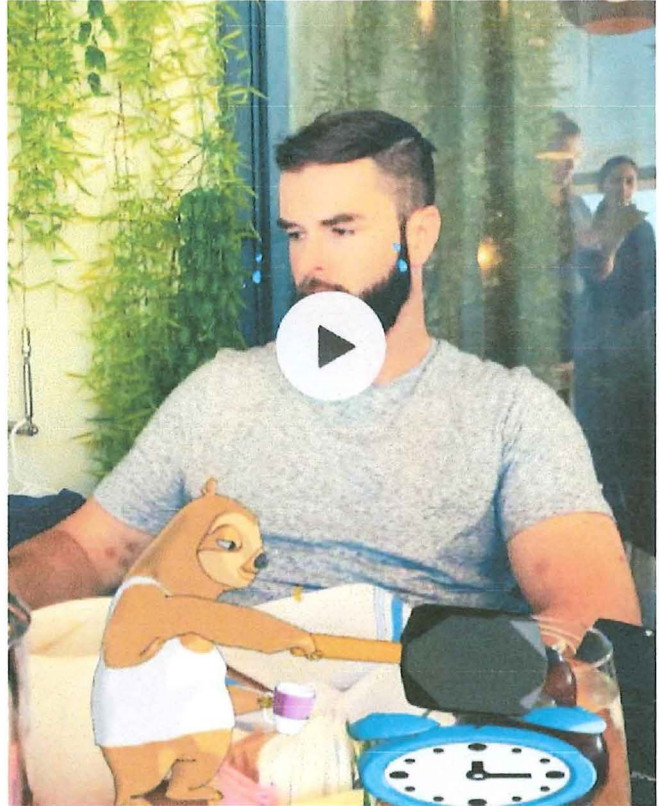
He started couples counseling in November with his former girlfriend, Yelaney, while he insisted on meeting me in San Francisco to talk.

Evidence supporting Miami:

1. Ronda ran away to hide after Mike forced himself onto Ronda outside of the restaurant. Mike tightly grabbed her hair yanking head back saying, "*You like that don't you?*" Her location was shared with sister, Azaiah. Shortly after Mike found her hiding.



2. Arrived at W South Beach hotel and stumbled to elevator
 - a. Hotel lobby and elevator camera footage showed Ronda and Mike. The hotel confirmed to Ronda that footage was available showing Ronda and Mike. It has since been destroyed.
 - b. October 19 between 1am – 2am
3. Ronda greeted Lily the babysitter, tried to pay her and said goodnight.
 - a. Lilly Vasquez, witness to Ronda's intoxication level with text message for proof.
4. Hot Tub on rooftop
 - a. Hot tub, chair, Mike slipping on a water puddle, Mike reached for Ronda's swimsuit, head near Ronda's knee, resisted, saw pavement thru chair while Mike penetrated her vaginally
5. Mike's bedroom
 - a. Mike's face, naked body with a fully erect penis, white linen and room, Mike showering, leaving
6. Morning after pill
 - a. Purchase receipt from Walgreens
7. Confession from Mike to Yelany regarding sex and "he was on a rampage"
 - a. Text messages
8. Bruises on arms after October 18:
 - a. **Left: no bruises on October 17, 2019**
 - b. **Right: left and right bicep bruises on arms given by Ronda as of October 19, 2019**



San Francisco – Ronda McNae:

Purpose of Ronda's travel: watch niece's home soccer game at Pacific University.

Purpose of Mike's travel: "talk in-person about Miami, over coffee" with Ronda; he insisted on changing his own work travel plans to meet in San Francisco.

[2019 Women's Soccer Schedule - University of the Pacific \(pacifictigers.com\)](https://www.pacifictigers.com/schedule)

The screenshot shows the University of the Pacific's website for Women's Soccer. The top navigation bar includes links for SPORTS, INSIDE ATHLETICS, TICKETS, GIVING, GEAR, FAN ZONE, and RECRUITS. Below this, the 'WOMEN'S SOCCER' section is active, displaying a game recap for a match between Portland (POR) and Pacific (PAC) on November 1, 2019, at 7:00 PM. The game took place at Knolls Field in Stockton, California. The final score was 3-0 in favor of Portland. The recap text states: 'TIGERS CAN'T OVERCOME PILOT OFFENSE IN 3-0 DEFEAT'. It also lists the scorers for Portland: Rios, Taryn (2 G), Hazlett, Kimberly (1 A), Zamora, Madison (1 S), and for Pacific: Crump, Brenna (2 S).

Who:

- Mike Fitzgerald, resident of Miami, FL, UK and Irish citizenship, CIO of SoftwareONE, global software services organization and Microsoft Partner

Where:

- W Hotel San Francisco

When:

- November 2-4, 2019; two weeks after initial sexual assault in Miami, FL, October 18, 2019.

What:

1. Non-Consensual sexual intercourse between Ronda (married) and Mike Fitzgerald (single) at the W San Francisco hotel.
2. Infection from anal and vaginal sex (Pyelonephritis and Urinary Tract Infection) from sex in San Francisco and treated at Evergreen Hospital Emergency Room on November 7, 2019, in Kirkland, WA).
3. Psychological coercion
4. Threatened Ronda by insisting he could have her husband's job terminated at Microsoft.

Evidence against Mike Fitzgerald:

Non-Consensual activities:

Sexual intercourse

- Felt trapped and compliant like his pet. Ronda didn't want to upset or anger Mike.
- Ronda was mentally operating in a state of trauma from Miami. The feelings worsened in the presence of Mike (tonic immobility)
- Consensual sex was not discussed prior to walking into the hotel room (nor prior to arriving in San Francisco) – it was expected of Ronda when in the hotel room. However, the purpose of Mike joining Ronda in San Francisco was to "talk about Miami", not repeat any parts of it.
- Ronda went into survival mode to get through it with Mike.
- Any free moment, Mike would remind Ronda *"You can't say anything to anyone. Will would be let go from Microsoft", "the Executive team would rally around me to protect me"*.

Anal penetration

- Lunging forward until I was flat on the bed due to the surprise of the painful feeling his penis penetrate Ronda's anus and saying "No".
- Vaginal sex continued.
- Emergency Room chart notes show:
 - Pain was severe enough to justify Emergency Room visit and tests.
 - E-Coli found in urine test.
 - Prescribed medicine to treat pyelonephritis (common causes from anal sex).
- Hemorrhoidectomy surgery was performed in 2012 to help Ronda post-pregnancy; still very tender and sore 10 years later.

Choking (rough sex)

- Rough sex was definitely not discussed.
- Mike's hands were around Ronda's neck.

Nipple pinching

- Mike grabbed my nipples and twisted them so much it caused pain and soreness after

Trauma response of Fight/Flight/Freeze/Fawn:

- In SF Ronda no longer tried to fight or flee. Freeze and fawn (masking) was all Ronda felt she could do to survive until it was over and Mike left.

Avoidance:

- Ronda separated herself in the bathroom at least 4 different times, taking hot showers. This created space for her to be alone and to cry privately.
- She avoided falling asleep and kept herself awake to prevent Mike from coming on to her while she was asleep.
- Sunday night (day 2) she slept in a Onesie zip-up pajama outfit to give her another layer of protection from sex and unwanted advances.

Summary and details from November 2-4:

November 2: Ronda offered to pick Mike up at the SFO airport. She arrived at the terminal around 2:24PM and parked on the RED "C" level 3 floor in the garage.

Upon meeting Mr. Fitzgerald at the airport, my brain was flooded with stress hormones, and I was unable to effectively choose the best course of action which should have been to simply pack up and leave. I lost control of knowing what to think and what to do in crisis. It left me feeling deeply ashamed and vulnerable because this was a man I knew and supposedly trusted, as well as someone my husband trusted and worked with.

Mike insisted on dropping things off in his hotel room, so he checked in at the front desk. Ronda stated, *"I will get my own room"*. Mike responded *"No, why would you do that?"* (In an offended tone of voice).

After dropping bags, they walked along the waterfront. Mike had told Ronda to leave her phone behind, so she used Mike's phone to take pictures of the waterfront scenery (he later texted Ronda). Walking around the city seemed OK as they acted as two friends exploring a new city.

Mike chose a restaurant along the water to grab a bite to eat and drink. Ronda didn't have the appetite to eat but consumed 2 alcoholic drinks. They returned to the W San Francisco hotel.

When we arrived at the hotel, I remember feeling detached from reality and unable to make sense of what was going on. I didn't feel my body. It was like I was on autopilot all of a sudden. I could not make sense of how this trusted friend was so quickly moving to take my clothes off. I knew and was friends with his girlfriend Patrice. She was supposed to have joined us in Miami just two short weeks earlier. I had left Miami completely confused and unable to make sense of what had happened that Friday night of the dinner celebration. Now, I was in a hotel room being told this was all a love affair and that I wanted it to happen. I felt a loss of control of my body as my mind was detaching from physical feelings. I was just going through the motions without rationally questioning or feeling like I had the right to fight him off. I could not understand how this friendship turned into a sexual encounter so rapidly. I still did not understand what happened in Miami. For two weeks after our Miami trip Mr. Fitzgerald love-bombed me by messaging and speaking with me daily about how much our relationship meant to him, how he was going to move to Seattle and start a new life with a dog, home on the lake and his desire to raise a family. He was manipulating me with constant affirmations of how hard all of this was on him because we had to keep it a secret. I was not allowed to say anything to my husband, and I had to go on with life as a wife and mother.

Without dialogue, Mike forced himself onto Ronda. He kissed Ronda and removed her clothes and his. Ronda was not only in a trauma state but believes she entered into a state of "tonic immobility". She was extremely vulnerable. The alcohol pushed her into the legal definition of "intoxicated" where Ronda wasn't able to consent. Ronda gathered the courage to say "NO" after Mike penetrated her anus with his penis. Mike then continued to penetrate her vaginally. This ultimately resulted in a visit on November 7 to her local Emergency Room in Kirkland, WA due to pain and discomfort.

Why didn't I fight back?

I have asked myself that question a thousand times. I have blamed myself to my Counselor over the course of 200 counseling sessions and two week-long intensive trauma healing workshops. I was absolutely caught off guard in Miami and was overly intoxicated. I was also caught off guard by this trusted friend in San Francisco when I was still trying to rationalize what happened. I certainly felt Mr.

Fitzgerald's greater power and fear of what he was telling me about holding my husband's job in his control if he reported him. The sudden feeling of deep betrayal by this friend created a sense of vulnerability and powerlessness which left me feeling like his pet.

My automatic responses to trauma only made my self-blame worse. It was because of my lack of confidence that I did not come forward to the police in the early months of 2020 and I felt afraid to pursue reporting during the beginning phase of Covid-19 when everything around me was shutting down and systems were put on hold.

November 3: We had dinner at a sushi restaurant where Mike received a couple text messages from Will (husband) that caused him to get to an intense level of anger. Mike repeated how important it was that *"You don't say anything. If you must, wait till after January"*. Ronda started feeling as if this was a ploy. Mike also stated *"Will doesn't want to upset me. Will has never seen my aggression"*.

Mike then told me a story about how he resisted arrest during a fight in the UK. He fought the police. Then paid them off.

Mike got so frustrated he paced back and forth behind our bar chairs. I felt Mike's anger slowly shifting to me, as if I created it. By this point, we had finished a bottle of Sake. Once I saw Mike's ability to quickly change from hot to cold, I asked if he had ever hit a woman. Instead of answering this calmly, he freaked out. Deep down I was afraid Mike would hurt me by hitting me. Mike often spoke about his aggression and boxing.

By this point Mike had power over me since I believed he held the power of my husband's job. This wasn't a feeling from thin air, Mike constantly used psychological coercion: manipulation, lies, and other deceptive behavior. He also knew my vulnerabilities of prior childhood sexual trauma and assaults and used that knowledge to his advantage. On October 21st he first made it clear Will would lose his job and continued to remind me and hold it over my head. We had dinner Sunday night at a sushi restaurant where I asked him if he had "ever hit a female?". I asked this after he said, "Will has never seen me mad, he doesn't want to upset me" (using me to calm Will down). Mr. Fitzgerald replied with "Why would you ask that?". His tone was defensive and mixed with anger as he turned the question back on me. I do not remember him ever answering my question definitively.

Earlier that day, Mike mentioned wanting to be put in a room alone with my Stepdad, implying he would beat him up. I feared Mike since he was a very strong boxer and grew up boxing.

Mike had also said, "If anything happens, my company will circle around me and push him out!" (Implying if I say anything, Will would be affected, not him.)

Mike's response to my question ("Have you ever hit a female?") felt cold. He proceeded to stonewall and shut off emotionally and from conversation from that point on. The look on his face was almost as if his soul left. I remember putting on a unicorn onesie pajama before going to bed feeling that would add a layer of protection and he couldn't force me to have sex. That night I felt so unsettled. I couldn't explain it. I didn't feel like I could leave. The only space I could hide was in the bathroom. I ended up taking 3 scalding hot showers that night because I could not sleep. The sounds of the shower and fan created enough white noise to cover the sound of me crying and I felt safe and comforted in there.

The following morning, he offered to take a taxi to SFO airport. I dropped Mike off at the airport very early so that I could be done with him and get out of the room. He was stone cold emotionally. His ability to emotionally flip-flop in my presence was something I had never seen before. He was very unpredictable which caused me to

feel like I was spinning around in my head. I tried to make conversation, but he took a question I had the night before and proceeded to gas light me with doubt. Without flinching, he quickly turned the situation around on me regarding my question the night before about his phone when I had attempted to look at his phone since I knew my husband had sent him a text message (and it visibly upset him). The sudden snap and behavior change made me wonder if he had bipolar tendencies. He got out of the car but with a very cold shoulder. Once I drove off, I broke down and cried nonstop.

Psychological/Sexual Coercion is very apparent in my memories from this time. He continued to spin the story of what happened in Miami as a consensual love affair that "just happened" although my emotional and mental behavior didn't line up with that narrative of his story line. Aside from the feeling of being so lost and confused, I feared upsetting him. He constantly reminded me "You can't say anything to Will. You can't let him know you're out of sorts. We both could lose our jobs".

Upon arriving home in Seattle, I needed to be seen at the Emergency room for treatment to help a severe UTI infection which I know was caused by sexual intercourse with Mike. I have a history of UTIs after unprotected sex to the point where my husband knows to not ejaculate inside me because of my sensitivity and auto-immune diseases.

Also, after returning home, my behavior and outlook on life drastically changed for the worse. I had suicidal thoughts, I wanted to run away from reality and life, there were many days I didn't get out of bed, and I reached out to 6 pastors and leaders in various church organizations pleading for help. Things didn't improve until I attended the Onsite Healing & Trauma intensive workshop in Nashville, TN before Christmas.

February 1st, 2020 – I reached out to Mr. Fitzgerald's girlfriend, Yelany DeVarona, to learn more about Mr. Fitzgerald and share with her what I had experienced (see printed messages between Yelany and Ronda). Through this interaction I learned a great deal about the double life he was living and lies he was telling her to cover up events that included me. For example, he did not have a son, there wasn't a custody battle, he had never married, he never moved out of his shared condo with Yelany, he currently lived with Yelany, Yelany never miscarried a child, he never paid for Yelany to have butt implants, his Dad wasn't dead, his Mom wasn't sick or on a list to get surgery for a prolapsed colon, and he began to work on his relationship with Yelany October 19th when they slept together in a car which further proved the depth of his deceptive behavior. I also connected with his former girlfriend (Patrice) who shared some very odd things from their relationship that support my allegations.

In June 2020, in order to get feeling better with daily counseling, I was required to sign a non-Disclosure agreement in order to have Mr. Fitzgerald make funds available to help pay for my intense counseling costs after I had been suicidal. I was diagnosed by my counselor, Sarah Delinger, with PTSD from this experience with Mike. My counselor stated I was still actively in a "trauma-response" February 2020.

The NDA has become N/A since I came forward to report a crime and Mike's head of HR is now aware Mike abused a work-partner relationship to isolate and rape the spouse additionally instilling fear with force and threats. Mike was aware of the power differential and imbalance. Mike manipulated Ronda with severe gaslighting which eroded Ronda's sense of self, identity, judgment, and lastly her reality.

To date, I have seen my counselor over 190 times for visits since January 2020.

Written and submitted by Ronda McNae, April 7, 2022



On the night of October 18, 2019, Mike Fitzgerald sexually assaulted me at the W South Beach Miami hotel in Miami, Florida. He insisted on meeting up with me 10 days later, on November 2nd, while I was watching my niece's soccer game in San Francisco so that we could "talk about Miami" in-person. I was still operating in a trauma response and when I was around him, felt trapped like his pet. He held my husband's job over my head as he told me stories about this being a spontaneous and consensual love affair.

I knew Mr. Fitzgerald because my husband worked with him in his role as global CIO for a Microsoft services provider. Their organization represented a significant amount of software revenues for Microsoft, and my husband was eager to build a positive relationship with their executives. Ultimately, Mr. Fitzgerald took advantage of the unequal power dynamic to sexually assault me and subject us to prolonged abuse and mistreatment over 8 months.

Beyond the work relationship he had with my husband, I developed a friendship with him and his new girlfriend, Patrice, after meeting Mr. Fitzgerald at a work event in Bellevue, WA, July 2019. Based on the vulnerable stories he shared with my husband and I, we felt incredibly sorry for him on an emotional level considering all of the bad things that he said happened to him that year including: his dad passing away back in England, losing custody of his 15 yr. old son, and a painful breakup. Their company had a public IPO offering in October and he wanted to celebrate his success with friends. When he purchased airfare and lodging for my entire family to join him and his girlfriend in Miami for a weekend celebration, we felt obligated to attend and support our friend and husband's work relationship. However, Patrice had canceled her attendance early in October, but we were informed by Mr. Fitzgerald on October 18 after I had already arrived in Miami and my husband and son were on a red-eye flight.

I flew with my daughter to Miami two days before my husband and son because of his prior work commitments. We stayed in our own hotel room and did fun mother/daughter activities. When I learned that Patrice canceled coming to Miami, my husband asked if I would be willing to attend his special Friday night dinner in place of Patrice. Initially we had not been invited since my husband was not going to be in Miami due to his late flight. The request to attend a last-minute event was a significant burden as it required me to find a trusted sitter for our 9-year-old daughter in one day and be expected to socialize with colleagues of Mr. Fitzgerald whom I had never met.

My expectations of Mr. Fitzgerald were to treat me as a dear friend and wife of a business colleague whom he had described to his girlfriend, Patrice, as his 'best friends'. My attendance at the dinner ultimately resulted in over consumption of alcohol. I recall Mr. Fitzgerald kissing me at the end of the night when we were leaving. I was so intoxicated and terrified of not being able to escape a bad situation I ran away from him and hid in the bushes. I eventually received a call from my sister stating Mr. Fitzgerald was looking for me so that he could help me get home safely. Before arriving at the hotel, I texted my babysitter letting her know I was almost home and needed to pay her. My messages to her were incoherent.

When we arrived at the hotel room around 1:30am, I decided not to fall asleep until my husband and son arrived, and I could feel safe. Since drinking and staying up late was not normal for me, I thought I could keep myself awake if I headed upstairs to the rooftop to sit in the hot tub alone. However, on the way up the steps Mr. Fitzgerald passed me carrying a bottle. Once I saw him get into the hot tub, I recall changing my mind to sit on the lounge chair by myself instead because I was unsure of his motive and intentions and there didn't seem to be an easy escape route.

I recall the following events:

I recall Mr. Fitzgerald coming over to where I was sitting and moving my swimsuit bottoms to the side. I said "no" and pushed him away.

I recall Mr. Fitzgerald being fully naked with an erection.

I recall seeing the deck floor through the slats in the lounge chair and also seeing the stars while feeling sexual intercourse in a frozen physical state.

I recall seeing white walls and a bed in his bedroom of the Penthouse suite that we had all moved into that day (two-bedroom, two-story suite). Ella was sleeping in my bedroom while this was happening.

I do not recall much after this point, but my husband and son arrived at the hotel by 6:30am and reported the following to the Miami South Beach police:

I was still awake at 6:30am and I greeted them at the hotel door wearing only my bathrobe. Due to my childhood sex abuse, I always cover up and wear undergarments so that I can feel protected. Not wearing anything under my robe was highly unusual.

I was so intoxicated I couldn't help getting my son settled and into bed after their long flight.

I was lying on the couch in my bathrobe which only covered a part of my legs and groin. Mr. Fitzgerald was on the other living room couch.

My husband greeted Mr. Fitzgerald but it was not their usual friendly greeting.

I took a shower with my husband and said "ouch" as we started to have intimate intercourse. The following day I did not remember having a shower nor being intimate with my husband when he referred to our shower the night before.

Several months later I discovered other facts about Mr. Fitzgerald:

He had sex with his former girlfriend the following night on October 19 (Yelaney, currently married to).

He called Patrice on October 20 that he wanted to fly to Austin that day to see her in-person so they could talk about their relationship.

He was living with this former girlfriend when all of this was happening, including dating his new girlfriend, Patrice, who lived in Austin, TX.

He started couples counseling in November with his former girlfriend, Yelaney, while he insisted on meeting me in San Francisco to talk.

10 days after this trip to Miami, I was headed to watch my niece's soccer game at the University of Pacific in Stockton, CA. Mr. Fitzgerald knew I was going alone and insisted on meeting me in San Francisco so that we could talk in-person about Miami. Months later I would discover that he had officially broken off his relationship with Patrice after the Miami weekend and by November had re-established his relationship with Yelaney who lived with him in their Miami condo. I now believe that everything he told me in San Francisco between November 2-4, was to cover up the crime in Miami and for me to believe this was a love affair so that I would not suspect he raped me although I STILL have extreme social anxiety and PTSD with occasion severe panic attacks.

By this point I believe I was not only in a trauma response (Miami) but also experiencing "tonic mobility" to survive until Mr. Fitzgerald left town. He expressed how much he cared about me and felt like he needed to move to Seattle to be with me. I spent 1.5 days with him trying to make sense of my feelings because I felt so lost and confused.

I felt almost as if I were his pet. I wasn't allowed choice or opinion. Once inside the hotel room he began kissing me and taking my clothes off. He tried to have anal sex, but I said "no". He continued having sex with me. I never said "Yes, I consent to having sex". In truth, I didn't feel like I could say anything for fear he would have my husband fired or he would hurt me. I have very little memory of the details when I entered that hotel room. It's like I walked into a dissociative state after we entered the hotel room. Aside from trying to pressure me to have anal sex, I recall asking him a question that caused him to erupt in anger.

Nov 3rd (Sunday): By this point Mike had power over me since I believed he held the power of my husband's job. This wasn't a feeling from thin air, Mike constantly used psychological coercion: manipulation, lies, and other deceptive behavior. He also knew my vulnerabilities of prior childhood sexual trauma and assaults and used that knowledge to his advantage. On October 21st he first made it clear Will would lose his job and continued to remind me and hold it over my head. We had dinner Sunday night at a sushi restaurant where I asked him if he had "ever hit a female?". I asked this after he said, "Will has never seen me mad, he doesn't want to upset me" (using me to calm Will down). Mr. Fitzgerald replied with "Why would you ask that?". His tone was defensive and mixed with anger as he turned the question back on me. I do not remember him ever answering my question definitively.

Earlier that day, Mike mentioned wanting to be put in a room alone with my Stepdad, implying he would beat him up. I feared Mike since he was a very strong boxer and grew up boxing.

Mike had also said, "If anything happens, my company will circle around me and push him out!" (Implying if I say anything, Will would be affected, not him.)

Mr. Fitzgerald's response to my question felt cold. He proceeded to stonewall and shut off emotionally and from conversation from that point on. The look on his face was almost as if his soul left. I remember putting on a unicorn onesie pajama before going to bed feeling that would add a layer of protection and he couldn't force me to have sex. That night I felt so unsettled. I couldn't explain it. I didn't feel like I could leave. The only space I could hide was in the bathroom. I ended up taking 3 scalding hot showers that night because I could not sleep. The sounds of the shower and fan created enough white noise to cover the sound of me crying and I felt safe and comforted in there.

The following morning, he offered to take a taxi to the SFO airport, but I dropped Mike off at the airport very early so that I could be done with him and get out of the room. He was stone cold emotionally. His ability to emotionally flip-flop in my presence was something I had never seen before. He was very unpredictable which caused me to feel like I was spinning around in my head. I tried to make conversation, but he took a question I had the night before and proceeded to gas light me with doubt. Without flinching, he quickly turned the entire thing around on me regarding my question about his phone from the night before when I had attempted to look at his phone since I knew my husband had sent him a text message (and it visibly upset him). The sudden snap and behavior change made me wonder if he had bipolar tendencies although he had shamed his sister for having it. He got out of the car but with a very cold shoulder. Once I drove off, I broke down and cried nonstop.

Psychological/Sexual Coercion is very apparent in my memories from this time. He continued to spin the story of what happened in Miami as a consensual love affair that "just happened" although my emotional and mental behavior didn't line up with that narrative of his story line. Aside from the feelings of being so lost and confused,

I feared upsetting him. He constantly reminded me "You can't say anything to Will. You can't let him know you're out of sorts. We both could lose our jobs".

Upon arriving home in Seattle, I needed to be seen at the Emergency room for treatment to help a severe UTI infection which I know was caused by sexual intercourse with Mr. Fitzgerald. I have a history of UTIs after unprotected sex to the point where my husband knows to not ejaculate inside me because of my sensitivity and auto-immune diseases.

Also, after returning home, my behavior and outlook on life drastically changed for the worse. I had suicidal thoughts, I wanted to run away from reality and life, there were many days I didn't get out of bed, and I reached out to 6 pastors and leaders in various church organizations pleading for help. Things didn't improve until I attended the Onsite Healing & Trauma intensive workshop in Nashville, TN before Christmas.

February 1st, 2020 – I reached out to Mr. Fitzgerald's girlfriend, Yelaney DeVarona, to learn more about Mr. Fitzgerald and share with her what I had experienced. Through this interaction I learned a great deal of the double life he was living and lies he was telling her to cover up events that included me. For example, he did not have a son, there wasn't a custody battle, he had never married, he never moved out of his shared condo with Yelaney, he currently lived with Yelaney, Yelaney never miscarried a child, he never paid for Yelaney to have butt implants, his Dad wasn't dead, his Mom wasn't sick or on a list to get surgery for a prolapsed colon, and he began to work on his relationship with Yelaney October 19th when they slept together in a car which further proved the depth of his deceptive behavior. I also connected with his former girlfriend (Patrice) who shared some very odd things from their relationship that support my allegations.

In June 2020, in order to get feeling better with daily counseling, I was required to sign a non-Disclosure agreement in order to have Mr. Fitzgerald make funds available to help pay for my counseling costs. I was diagnosed by my counselor, Sarah Delinger, with PTSD from this experience with Mr. Fitzgerald. To date, I have seen my counselor over 190 times for visits since January 2020.

Declaration

Exhibit J-7

Ronda DelaPina McNae
504 11th PL
Kirkland, WA 98033
RondaMcnae@gmail.com
02/07/2023

The President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Biden,

I am writing to you today with a grave concern regarding the prevalence of non-disclosure agreements (NDAs) and confidential settlement agreements (CSAs) in cases of sexual misconduct. These agreements often serve as a way for perpetrators of sexual harassment and assault to keep their actions quiet, leaving their victims silenced and unable to seek justice or closure. I strongly believe that it is time for our government to take a stand against this practice and ban the use of NDAs and CSAs in cases of sexual misconduct. Doing so would send a clear message that society will no longer tolerate the silencing of victims and the protection of perpetrators.

Victims of sexual misconduct deserve the right to speak out and have their voices heard, without fear of retaliation or financial repercussions. NDAs and CSAs rob them of this right and enable a culture of abuse and cover-up to persist. I urge you to act on this important issue and work with Congress to pass legislation banning the use of NDAs and CSAs in cases of sexual misconduct. It is time for our society to prioritize the safety, well-being, and voice of survivors, and to hold perpetrators accountable for their actions.

With this letter I felt the importance to include my case and evidence I compiled on my own prior to reporting to Human Resources which resulted in turning a blind eye, which left me pressured to sign this NDA under duress.

I am currently a Defendant in a lawsuit in Florida Southern District Court for Breach of Contract. I had been raped and sodomized two weeks apart in both Miami, FL and San Francisco, CA. Both crimes committed by the same perpetrator who isn't even a U.S. Citizen, who held my spouses' job at Microsoft over my head. Gaining the courage to report and walking through this journey has been demoralizing and soul crushing. I've lived my entire life not having the courage to stand up for myself dating back to being groomed, raped, and sodomized by my Stepfather who served in the U.S. Marines. I fell through the cracks far too many times as a child.

No criminal charges filed to date; I reported well within my statute of limitations. San Francisco Police Department continues to stonewall me refusing to investigate my case as retaliation since I reported to the Department of Police Accountability, due to the agencies inability to follow proper policy and procedures while investigating my Sexual Assault case. Victims have the right to equal protection under the law and to have their allegations of a crime taken seriously and investigated thoroughly. I feel that my I had been denied my right to a due process and equal protection under the law, which are both protected by the U.S. Constitution.

I am a concerned citizen and woman of color who believes that this case deserves the attention of our government, and I believe you are in a position to make a positive impact. I am writing to request that you take action to investigate this case and to provide any support that you can. I believe that this is an opportunity for the government to demonstrate its commitment to protecting the rights of all citizens, and to ensuring that individuals who commit such heinous crimes are held accountable for their actions. This is a systemic issue that society continues to enable predators and serial abusers which must END!

Thank you for your time and consideration. I look forward to your response and to the positive impact that I know you can make in this case.

Sincerely,

Ronda D. McNae _____

MCNAE 004699

Declaration

Exhibit J-8

To the Honorable District Attorney of San Francisco

February 1, 2022

I am requesting your help to act against the defendant responsible for causing severe trauma that continues to immobilize me on occasion. My case crosses Washington, Florida, and California therefore creating some complexities however the defendants skillful ability to execute psychological and sexual coercion at my expense. After 180+ hours of one on one counseling and two separate week long therapy intensives, I am now able to speak up. The defendant abused his power and work relationship with my husband to carry out his "rampage" as the defendant has stated in a saved text message still in my possession for evidence. I wholeheartedly believe it's in the public's interest to file charges based on evidence I personally gathered in fear that no one would believe me, including leadership at my husbands workplace; Microsoft.

Miami Beach Police have been actively working and investigating the crime that took place in their jurisdiction. I recently gave my in-person sworn testimony and my husband; Will McNae provided his witness statement. Detective Ozaeta has been tirelessly working on my case to present to the State Attorney. Unfortunately I have a sour taste in my mouth with the process thus far considering I made my initial report in May 2021 only to uncover months later the report had been filed as "Information Only". The initial crime happened in Miami, FL then 10 days later San Francisco, CA. To think an in-take officer assumed a 45 minute call would give her adequate details to write a report baffled me. She didn't express any desire to investigate nor look through evidence I made her aware I had. I found the entire conversation to be extremely traumatizing as she asked questions with an undertone of disgust and judgement, "Why did you sign an NDA?" "Why didn't you report this sooner?" "Why didn't you fight" Why didn't you call a cab?" "Why didn't your husband file a police report if he knew something seemed off with you?" The interrogation began before this intake officer had enough of the foundation pieces to the story. I proceeded to educate her on trauma response and defended why my report is delayed.

This is just unacceptable altogether and I pray that my experiences with San Francisco Police Department will be more positive. A victim should never have to press on the Police to investigate sex crimes. If there's not enough evidence to file charges, I understand however to close the books without any investigating just proves how broken our world is and systems. I have faith in the Detective now in Miami, FL and I'm waiting for my case and report with San Francisco Police to be assigned a Detective.

The burden I carry for the potential of future victims and overall public safety outweighs the fear of coming forward and facing a legal system that often dehumanizes victims. I believe I have gathered enough **evidence across four categories: circumstantial, demonstrative, digital, and hearsay.**

Context outline

July 31, 2019 – Met the Defendant (Michael Fitzgerald; CIO of SoftwareONE) at a partner sponsored event in Bellevue, WA. I attended with my husband; William McNae who works for Microsoft and is responsible for the SoftwareONE account

October 17th – 21st – The Defendant flew my family out to Miami, FL to help celebrate his IPO alongside he and his girlfriend Patrice Sanchez

MCNAE 001696

October 19th – I was sexually assaulted and raped after a dinner where endless champagne was being served. Days following the Defendant said I can't say anything to my husband otherwise "He would be let go from Microsoft" The narrative the defendant fought hard for me to believe was that I consented to sex and this was a secret love affair. However, bruises on both his arms that are in line with forced rape doesn't line up.

November 1st -4th – I flew to San Francisco, CA to attend my nieces college soccer game. The defendant insisted on needing to speak with me in person so he changed his return flight to meet me in San Francisco after I spent time with my niece. This resulted in severe deceptive and manipulative emotional coercion and ending in forced sex.

November 6th – I was admitted in the the Emergency Room with a UTI diagnosis

November 14th – I debated how I would end my life. The isolation and fear the defendant instilled in me if I ever said anything immobilized me. I couldn't eat and was constantly gagging at times throwing up due to the stress and trauma.

December 16th – 22nd – I attended a week long Trauma Intensive the Defendant insisted on helping out with since it was \$5,800.00 out of pocket. He covered \$1k acknowledging he caused harm.

January- February 2020 – I started to uncover the reality of what the Defendant had done. He was aware of my past childhood trauma and preyed on me the moment we met. He abused his work relationship to groom both my husband; Will and I. The defendant offered to cover counseling costs but eventually insisted we sign an NDA. By this point we reported to Microsoft HR which they refused to investigate stating the harm wasn't done to the full time employee of Microsoft. Without the armor of the company standing beside us, there was no way I was going to file police reports.

After hours of therapy, podcasts on justice, and educating myself on sexual predators – I eventually had a change of heart however I felt in-prisoned to an NDA signed in June 2020.

As part of my preparation, I have connected with a victim of Harvey Weinstein's to better understand how to navigate the legal process as a victim. It's my hope and prayer that your office, as part of this investigation, can help facilitate the termination of my NDA so I can move forward without fear of retaliation.

I'm thankful a mutual friend connected me with Gretchen Carlson who journeyed through a very public case similar to mine involving an NDA with Fox News. She recently started a non-profit to help terminate Non-Disclosure Agreements in cases like mine where women are muzzled and silenced. I do feel it would be more powerful and honorable if the government of Florida/California proactively terminated/voided my NDA.

We need to lead by example and set a precedent. A Non-disclosure Agreement should not be enforced (if) the agreement conceals details of misconduct, harassment, or sex crimes. These agreements truthfully should be banned in non-corporate situations altogether. It's my hope the government of California will support me. Thank you for your time and consideration for the help.

Declaration

Exhibit J-9

Sarah Dellinger

From: Ronda McNae <rondamcnae@gmail.com>
Sent: Tuesday, February 1, 2022 10:00 AM
To: amadeushuff@miamibeachfl.gov
Subject: ATTN: Commissioner Steven & City Attorney's

To the Honorable City Attorneys,

February 1, 2022

I am requesting your help to act against the defendant responsible for harming me on the night of October 18th into the early morning of October 19th, 2019. It is in the public's interest to file charges based on evidence gathered and submitted to you by Detective Ozaeta from Miami Beach Police. I implore you to see that coming forward as a victim of sexual battery is frightening, especially in light of Commissioner Steven Meiner's recent proposal to expand the prosecution team so that fewer battery crimes will be dismissed without charges.

Truthfully, I never thought I would muster enough courage to report to local authorities. I have deeply rooted fears of the criminal investigation process and potential retaliation for breaching a non-disclosure agreement that I believe was only executed to conceal details of a crime. Only after attending two in-person trauma and healing intensives, plus clocking in 180 hours of independent counseling, I have uncovered my voice. The burden I carry for the potential of future victims and overall public safety outweighs the fear of coming forward and facing a legal system that often dehumanizes victims. I believe I have gathered enough **evidence across four categories: circumstantial, demonstrative, digital, and hearsay** which eventually grabbed the attention of Detective Ozaeta and Sargent Ramos. In addition, I have tested positive for an incurable Sexually Transmitted Disease following the crime. I can also prove with a prior blood work panel, I did not have this STD prior to the crime committed against me.

Over the past 12 years I have grown to love visiting the city of Miami, FL. My older sister served in the military and decided to relocate to Miami afterwards to earn her college degree – this became a great reason for me to visit on regular occasion. Plenty to explore, beautiful beaches and people in a melting pot of cultures. In 2017 it was reported that over 15 million tourists visited Miami which added an estimated \$2 billion to your economy - a significant incentive to keep tourists safe in my opinion. Prior to October 2019, I never questioned my safety, nor did I have any reason to question or doubt local law enforcement.

Since I feel differently today, I have been encouraged to share my personal concerns regarding Miami-Dade law enforcement:

- May 2021, I gathered the courage to call local authorities with the intent of pressing criminal charges based on the substantial amount of evidence I had collected. I was shocked at how unprofessional and hostile the intake process was over the phone because of the style and manner in which questions were asked. I quickly realized that to be believed as a legitimate allegation I would need to educate this individual on the affects of trauma on the human brain (especially when alcohol was involved). It is my belief that a victim should not carry the responsibility to inform law enforcement on the psychological reasons for a victim's delayed reporting when they are dealing with their own shame and self-blame. It took a dozen phone calls over the following 5 months before I discovered no one was looking into this report since it had been filed as "Information-Only".
- November 2021, Detective Ozaeta was assigned to my case. I believe she is doing a remarkable job gathering details and evidence to present my case to the Prosecutor's office.
- January 10, 2022, the evening before our scheduled in-person meeting with Detective Ozaeta we had a disheartening conversation with an officer outside a grocery store in the South Beach area. This officer had been with Miami-Dade Police for roughly 30 years after enlisting in the Marines for 4 years. This officer has a daughter

of his own, roughly the same age as me. I believe it is imperative that I share a few things said by this officer because it further exposes a mindset that makes reporting sexual battery cases extremely difficult. These quotes came after I asked him how often he believed acquaintance rape occurred in Miami: *"Acquaintance rape happens daily."* *"Young women need to cover up more to make themselves less of a target. If a man sees it [skin] they think they can have it or buy it. Women provoke men by what they're wearing."* *"The only way a woman could be raped is if a gun is being held to her head."*

After this experience I couldn't agree more with Commissioner Steven Meiner's proposal to expand the prosecution team to enforce more consequences otherwise local law enforcement indirectly implies to the community that you can in fact commit a soul crushing crime like this and be let off the hook with little to no consequence.

While I hope there will be accountability and justice for my case, I fear for your local community and tourists regarding sexual predators like the defendant. I believe sexual predators are the most dangerous and leave deep wounding scars on their victims. Physicians and Psychologists are now of the understanding that the traumatic symptoms of PTSD that victims of sex crimes experience are comparable to the experiences of PTSD suffered by war Veterans.

As part of my preparation, I have connected with a victim of Harvey Weinstein's to better understand how to navigate the legal process as a victim. It's my hope and prayer that your office, as part of this investigation, can help facilitate the termination of my NDA so I can move forward without fear of retaliation.

I'm thankful a mutual friend connected me with Gretchen Carlson who journeyed through a very public case similar to mine involving an NDA with Fox News. She recently started a non-profit to help terminate Non-Disclosure Agreements in cases like mine where women are muzzled and silenced. I do feel it would be more powerful and honorable if the government of Florida proactively terminated/voided my NDA, given my experiences thus far.

We need to lead by example and set a precedent. A Non-disclosure Agreement should not be enforced (if) the agreement conceals details of misconduct, harassment, or sex crimes. These agreements truthfully should be banned in non-corporate situations altogether. It's my hope the government of Florida will support me. Thank you for your time and consideration for the help I am requesting.

Sincerely,

Ronda McNae
RondaMcnae@gmail.com
(206) 914- 6752